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A D D R E S S

TO THE

*Citizens of the District of York,*  
IN VIRGINIA.

BY THEIR REPRESENTATIVE,

*J O H N P A G E,*

OF ROSEWELL.

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ROSEWELL, (Gloucester County,) Aug. 5th, 1796

FRIENDS AND FELLOW CITIZENS,

I HAVE long wished to address you, and often have I attempted to gratify that wish: but at one time I have been restrained by motives to which I alluded on a former similar occasion; and at other times by considerations which at length I have been prevailed upon to disregard: I mean the fear of being suspected of courting popularity, and of exciting popular discontent. For, having voted against the funding system, the assumption of the state debts, the excise, and the frequent references to the Secretary of the Treasury; I was early ranked amongst those who were called the enemies of government—having voted against the new taxes, proposed by the Secretary of the Treasury: (Col. Hamilton,) I mean the tax on wheel carriages, on sales at auction, and on retailed liquors, and the excise on snuff and refined sugars; after I had voted in favour of Mr. Giles's motions respecting the Secretary's disregard of certain appropriations of the foreign loans, I was classed amongst his enemies. Having supported Mr. Madison's propositions respecting commercial retaliation on Great Britain, I was ranked with him, and those who voted with him, amongst the enemies of Britain and mischievous instigators of war: because I had declared that I believed that the existence of a free government upon earth depended upon the success of France against the combined monarchs, and therefore had openly rejoiced at the successes of the republic, and affirmed that it was the interest of the United States to assist her with provisions, as far as their state of neutrality would permit; and to insist on a liberal construction of the law of nations in favor

of our commercial intercourse with her, I, and those who thought with me, have been called Jacobins, and blind admirers of the French Republic. And because I have freely censured the monarchical practice of attempting to influence the minds of the people by using the President's name as a sufficient justification of acts of Congress, and proceedings of the Executive, I have been called his enemy, and ranked amongst the factious opposers of our government.— Thus circumstanced, it was natural to wish to explain the grounds of my conduct, so strangely misrepresented and more than once have I begun to vindicate my character—often have I been ready to appeal to your knowledge of my attachment to the constitution; of my love of order, and of my steady support even of laws against which I had voted; and to your conviction of my abhorrence of war, as ruinous to myself, my dearest connections, and my immediate constituents; and as pernicious to a republican government, as I have often declared it is; since it must strengthen the hands of the executive, increase the national debt, impoverish agriculture, authorise many acts of violence, accustom many citizens to a servile condition, and some to the exercise of a despotic sway. But, when I recollected that I shared the blame with men of approved talents, integrity and patriotism; I wished to avoid the appearance of affecting to have more sensibility than they had shewn: and indeed I soon prevailed on myself to believe, that it was better to have my conduct misrepresented, than to attempt a vindication, which might appear like a crimination of persons with whom I only had differed in opinion: and which might serve to confirm the suspicion (which has gone forth, and is in my mind dishonorable to our country,) that there are dangerous factions within the United States. Out of a pure regard

to truth, and a proper respect for the President, I wished to refute the charges against me respecting my conduct towards him—but how could this be attempted without exciting a suspicion of meanness; or be executed without an appearance of flattery? Every subject therefore which I had most at heart, and in full view whenever I attempted to address you, appeared too delicate to be handled. But having been lately repeatedly told that my votes in the last session of Congress respecting the British treaty, had not been explained to the satisfaction of a number of my constituents; and that I have been actually represented as a person disposed to destroy the constitution, and to overturn the government of the United States; I will in compliance with the desire of my friends, and to do justice to such of my constituents as have approved of those my votes, rather than from any wish to vindicate my character, which I am conscious requires no defence, and will stand the test of scrutiny at all times: I say I will in compliance with their desires, and to justify their approbation of my conduct now undertake in as few words as I can, to shew upon what grounds I voted in favor of Mr. Livingston's motion to call on the President for a copy of his instructions to Mr. Jay, together with the correspondence and other documents respecting the treaty with Great Britain; and against the resolution for appropriating a certain sum of money for carrying that treaty into effect. And I will then shew, that so far from attempting to overturn the government of the United States, my votes in Congress, and my conduct elsewhere, have been uniformly calculated to establish it upon a sure and lasting foundation. I voted in favor of Mr. Livingston's motion.

1st, because, I thought it the duty of the House of Representatives to make the fullest enquiry respecting the negotiation of that treaty, the progress of that business, and into every circumstance which led or could

lead to its ratification. For, that house being the direct representatives of the people, and being in a peculiar manner, and with a truly republican jealous caution entrusted with the powers of taxation, it was in my opinion their indispensable duty to enquire into every circumstance which led to a call on them for vast sums of money, unestimated millions, which were to be required of their constituents.

2dly, As the claims of numbers of their constituents to compensation for negroes and other property carried away by the British army from certain ports and places within the United States, contrary to the 1st article of our treaty of peace with Great Britain, was abandoned by the treaty before them and was ridiculed by the friends of that treaty. I thought it well became their representatives to enquire how the negotiation was conducted respecting those claims, and why it terminated in a total abandonment thereof.

3dly, As the navigation of the states in general, and the exports of the southern states in particular, were materially injured by a clause in the 12th article, I mean that which prohibits the exportation of fundry articles in American vessels; and even of cotton, the growth of several of those states; and that article has been in part suspended by the advice of the Senate; and the House of Representatives have by the constitution a concurrent voice with the Senate in regulations of commerce with foreign countries, and the acknowledged right of ordering impeachment, I felt it my duty as a member of that House not only to enquire how the suspension of that article affected the commerce of the states, since the new or suspending article has ambiguities respecting the parts of that article which are not suspended but confirmed by it; but also to examine into that part of the conduct of the negociator which led him to assent to that clause of the 12th article.

4thly, As the act for establishing an uniform rule of naturalization which passed but the preceding session of Congress in conformity with the letter and spirit of the constitution and the supposed interest, and known wishes of the people, was materially affected by the treaty; being either repealed in part by it, if a treaty can repeal an act of Congress, or if it can not, requiring an alteration by law, to give full validity and effect to the operation of the treaty. I supposed that the House of Representatives had a right to enquire into the correspondence which led to the envoy's adoption of that part of the 2d article of the treaty here alluded to: and to call for every information which might be of importance to enable them to determine whether it was *necessary and proper* to make a law to carry that article into effect: for I thought that as the constitution gives Congress the authority to make all laws *necessary and proper* to carry into effect all the powers given to the President and others; and *his* peculiar constitutional duty being to take care that the laws be *duly executed*, as far as it may be in his power to enforce their execution; and therefore, that as he has no right to *repeal a law*, the aid of Congress, was necessary to carry that article into effect: and the House of Representatives, as part of Congress, had a right to say, whether they wanted information respecting the *necessity* and *propriety* of enacting a law to give efficacy to the 2d article of the treaty; and to call for that information wherever to be found.

5thly, As Congress, that is the House of Representatives jointly with the Senate, are entrusted by the constitution with the power of making war, and granting letters of marque and reprisal, which *awful power* is not confided to the President and Senate; I had sufficient inducement in behalf of the constitutional authority of the House of Representatives, as well as in behalf of their constituents dearest inter-

ests, to demand of the President and Senate every information respecting a treaty entered into with Great Britain, whilst at war with France, the firm friend and ally of the United States; for I held it as a maxim, which I still think ought to be held by every citizen of the United States as incontrovertible, that as the President and Senate cannot *make* war, or grant letters of marque and reprisal, they can not *provcke war*: and therefore that as treaties often furnish a pretext for war, even between the contracting parties, and when made in times of war, with one of the belligerent powers, often give umbrage to other powers, and provoke charges of violated neutrality, which may terminate in hostilities, I thought it the right and duty of the House of Representatives to call on the President for every information, even the most secret, respecting that treaty. I thought it wise and politic to endeavor to prevent the establishment of a precedent, which might in time transfer from Congress to the Executive the *aweful* power of making war. For if the President has a right to make treaties of all denominations, and to keep secret his negociations, having those fruitful sources of war at his command, he may plunge the United States into war, with as much facility as the British King can his dominions. As to the President's right to keep secret his negociations of treaties, and instructions respecting their formation, I have ever thought that he cannot constitutionally have secrets as President; except in times of war, whilst commanding the forces of the states; or when negotiating treaties of peace. *The war making power*, that is *Congress*, and not the *President and Senate*, when meditating war and mischief, may brood in secret over its plots, and dark designs; or, when plotting to counteract the secret machinations of enemies, may and ought to have secrets; but the *treaty making* power of the United States (the Presi-

dent and two thirds of the Senate) surely should have no secrets, or such at least as can constitutionally, or with republican propriety be withheld from the knowledge, much less from the demands of the House of Representatives: from that body, whose duty it is to provide for the general welfare, to examine well the conduct of the executive, and to direct impeachments in cases of discovered delinquencies, and whose right to call for full information in case impeachments were intended, was acknowledged by the President himself. Having mentioned the distinction which the citizens of the United States ought to make between the *war making*, and *treaty making powers*, which are wisely lodged in different hands by the constitution.—I will remark, that although both these powers are necessary in every government; yet the latter, or that which is authorised to make treaties, may be confined to making those treaties only, which are essential to the peace and happiness of the nation: such as treaties of Peace, of Amity, and of Neutrality, and need not be extended to treaties of commerce and navigation; and in my opinion, is not so extended by the constitution, without the participation of Congress, to whom the regulation of commerce with foreign nations, with Indian tribes, and among the several states is expressly given by the constitution. *And lastly*, as we had learned from Mr. Randolph's correspondence with the President, (whilst he was Secretary of State,) on the subject of the treaty, that the President himself was dissatisfied with the treaty, which, as he expressed it, had placed the United States in the situation of a ship between two dangerous rocks, Scylla and Charybdis: and we were informed by Mr. Livingston, in support of his motion, that the President's positive instructions to his envoy, Mr. Jay, to conclude *no treaty of commerce*,



unless certain important articles were agreed to, were disobeyed; it was my opinion, that the House of Representatives were bound in justice to themselves, to their constituents, and even to the President, the Senate and their envoy, to call for the President's instructions, and for the envoy's correspondence, and other documents relative to the treaty. For as many of their constituents had petitioned the President not to give his sanction to the treaty, and many others had prayed Congress to refuse appropriations of money to carry it into effect, if it were true that the treaty was made contrary to the President's instructions, justice to them required that their representatives should either lay hold of that circumstance as a good objection to the validity of the treaty; or procure for them an explanation of the envoy's conduct; and justice to the President, required that he should not be censured for the disobedience of his envoy, and for following the advice of the Senate, his constitutional advisers: and to do justice to the character of the envoy, if he did receive counter, or after instructions, they ought to have been produced. Without an examination of the instructions, correspondence and documents respecting the treaty, it was impossible to judge of the propriety of the advice of the twenty Senators. Hence it was evident to me, that without the information called for by Mr. Livingston's motion, the House could not determine whether the treaty ought to receive their sanction or not, or say whom they ought to impeach, should they have judged an impeachment necessary.—These are the reasons which induced me to vote in favor of Mr. Livingston's motion.

I will now state as briefly as I can, those which impelled me to vote against the resolutions for appropriating a sum of money for carrying the treaty into effect. *The first*, and most weighty reason which occurred to my mind was,

that the treaty appeared to me to be unconstitutional.—1<sup>st</sup>, It appeared to me unconstitutional as to its rise or origin. For the negociation was instituted without the previous advice of the Senate, and in opposition to the views or wishes of a large majority of the House of Representatives, (as expressed by their vote, which was sanctioned by thirteen members of the Senate, when twenty-six senators only were present), when they were disposed to appeal to the interests and feelings of a mercantile nation, and of a government at all times greatly dependant upon the monied interest of that country; instead of applying as the President did, for redress of injuries to the honour of the sovereign, which must be wounded by the very application, if not made in terms most suppliant. I acknowledged the right of the President to *make* treaties by the previous *advice* of the Senate, and to *ratify* them with *their subsequent consent*. But I could not prevail on myself to believe that the constitution authorises the President to negotiate a treaty of navigation and commerce, against the wishes of the Representatives, and without the advice of two thirds of the Senate: to negotiate a treaty, which may, by the negociator, and circumstances concurring, (when once embarked in the negociation,) be imperiously forced upon the Senate for their consent, and by them upon the President for his ratification. When treaties are to be made, the President, by the advice and consent of two thirds of the Senate is to make them: but it ought not to be supposed that he can make treaties whenever it may please him. The advice of the Senate ought to precede the negociation, and their consent and sanction, the ratification of a treaty.

2<sup>ndly</sup>. I thought the treaty unconstitutional because it interfered with the constitutional authority of Congress to regulate commerce with foreign nations, and with the Indian tribes; with its right to

establish an uniform rule of naturalization ; with its right to define and punish piracies and offences committed on the high seas, and with its right to lay and collect taxes, duties and imposts. Had Congress expressed their approbation of the treaty, either with or without an application from the President ; and had proper acts passed to carry the treaty into full effect, these objections would have been removed ; but as the President published it, as the law of the land before it could have the sanction of Congress, and the House of Representatives were thereby excluded from any participation in the regulation of commerce established by the treaty ; and in other regulations which the constitution confided to them, I thought it not only unconstitutional as to its origin, but as to its contents and promulgation, and that it was the duty of that House to refuse their aid to sanction it by any appropriation of money.

*3dly.* I thought it unconstitutional because it interfered with, and violated the judicial authority of the United States : as it established a board of commissioners, two of whom were to be appointed by the king of Great Britain, to act as a kind of supreme court of appeals within the United States, with powers to proceed unknown to our laws, and with temptations to defendants to make no defence ; as the United States are by the treaty to pay the amount of the judgments or decrees of those commissioners.

And lastly, I thought it unconstitutional, because it bound the United States to pay debts which are not the debts of the union, but of individuals.— Debts which I thought Congress was not authorized by the constitution to pay ; even had they been declared due by the verdict of juries, and solemn decree of the judges of the United States. And I believed, that what would have been unconstitutional,

if done under the authority of an act of Congress, could not be constitutional, if done by an act in which the king of Great Britain was substituted in the place of the House of Representatives.

My second reason for voting against the appropriation was, that I thought the treaty was pernicious, and that it ought therefore to be declared void; or at least that the House of Representatives ought on that account to refuse to be accessory to carrying it into effect.

*1st.* I thought it pernicious, because if it ceded not territory it established a dangerous precedent for such cession, by a treaty made without the consent of the state affected, or of Congress, when it ought to be denied that even Congress can claim under the constitution, an authority to cede the territory of any state without *its* consent: I say it established that precedent, at least in its consequences, by leaving the final decision of a question respecting the boundary-line between the United States and Great Britain to commissioners.

*2dly.* It appeared to me pernicious, because it took from Congress the power of giving such commercial preference to nations with whom it might be the interest of the United States to cultivate a more intimate commercial connection, or such as might be more likely to produce a beneficial intercourse: and this appeared to me the more pernicious, as it was a sacrifice of a constitutional right of Congress; a right to establish, which in Congress, was a principal cause of the formation of the constitution; and the sacrifice of which, was the more objectionable, as the President and the Senate had by the constitution, a power to regulate the exercise of that power, and either of them a negative against the abuse of it; the Senate an absolute, and the President a qualified negative. And I thought it pernicious, because it took from Congress its best and only means of de-

terrering Britain from insulting the United States, and of obtaining reparation for injuries, and of procuring commercial advantages, without having recourse to unequal treaties, or ruinous wars. I mean the power and right of sequestration, and of commercial retaliation. I looked upon this as more pernicious than the cutting off territory; for it was cutting off as I may call it, the right arm of Congress; that arm by which alone the territory remaining could be protected against Great Britain, and rendered valuable without encountering the hazards of war; an arm which might strike a severe blow without justifying any attempt to revenge it by war; a blow which could not be parried by the British government, and which would excite resentment in the breast of the nation against their government, and not against Congress.

*My third* reason was, that I thought the House of Representatives were bound in duty to themselves, their constituents, and to posterity, to refuse their assent to a resolution which might establish the slavish precedent for voting away their constituents money, on a call from the executive without the fullest information respecting the occasion for that vote, and a perfect conviction of the propriety of the appropriation: and for sanctioning a practice of the President's making treaties without the previous advice of the Senate; or the subsequent approbation of Congress, grounded on full information; and for annihilating a fundamental constitutional privilege and duty of the House of Representatives to determine whether any, and what sum of money, shall be paid by their constituents, and by what modes it shall be levied: a precedent which destroyed the right of the House of Representatives to originate money-bills, and rendered it a mere instrument in the hands of the executive, "a mere key" to get at the people's money."

*My fourth* reason was one which would have induced me to have voted against an appropriation at that time, that is during the last session, even had no other objection occurred to my mind—that is, I thought it the duty of the House of Representatives to abstain from giving their aid to carry the treaty into effect, until Great Britain should at least refrain from committing aggravated depredations on our commerce. It became the House to withhold appropriations, till either the treaty should be altered so as to be conformable to the President's instructions to his negociator: or, at least that the conduct of Great Britain should be altered, so as to be consistent with her professions of amity contained in the treaty, and actually be such, as would leave the United States in the enjoyment of the rights of neutrality, and not force them to acquiesce in her construction and application of the law of nations, so as to expose them to the suspicion and enmity of France.—And I voted against the appropriation at that time, because I thought the treaty might be viewed by the French Republic as a violation of our neutrality. For I believed that it was a principle of the law of nations, that neutral powers shall not during a war, without necessity, alter the situation or condition of one of the belligerent powers in such a manner as to enable it more advantageously to prosecute hostilities against its enemies: and I knew that the treaty with Great Britain did enable its government to employ troops to prosecute hostilities against the French islands which she had before thought necessary for the protection of Canada and Nova Scotia, and for the defence of the unjustly detained posts against the expected invasion and attacks of the United States; and that it did secure to them a supply of provisions whilst it diminished the hopes and expectations which the French had of receiving such supplies, and also supplies of naval stores: that it cut off the hopes

which the French had, that American vessels under the sanction of the modern law of nations would afford protection to much of their property; especially as by treaty with the United States those vessels did protect the property of their enemies. I knew also, that several articles, the produce of the French islands, some of which to a great amount had been exported during the present war in American vessels to the mutual advantage of those Islands, and of the United States, were by the treaty in a great measure prohibited in fact "from being bartered for provision to our citizens, or purchased by them, as it prohibited the exportation of them from the United States in American vessels." It is true the article here alluded to is suspended, but its having had a place in the treaty, and being still under negociation, instead of being expunged, it leaves the ground of complaint, and of suspicion of partiality unmoved. I thought that our acquiescing by treaty in the British king's orders for the seizure of all provision ships bound to France, whilst Britain had justified such orders by declaring that they were necessary to accomplish their hopes of *subduing France by famine*, might be viewed by that republic as a proof of partiality to Great Britain; because the President of the United States, by the Secretary of State, had confessed in an expostulation with the British government respecting those orders, "that if we permit *corn* to be sent to Great Britain and her friends, we are equally bound to permit it to France. To restrain it, would be a PARTIALITY which might lead to war with France; and between restraining it ourselves, and permitting her enemies to restrain it unrightfully, is no difference. She would consider this as a mere pretext, of which she would not be the dupe\*."

\* See papers relative to Great Britain, laid before Congress by the President, in their session 1793, page 108.

I knew that the impressment of our seamen into the British privateers and ships of war, which had been protested against by our government, was unnoticed in the treaty; whilst there is an article (the 21st) framed expressly to prohibit our citizens from serving against the British in the vessels or armies of their enemies; which circumstance alone might excite the jealousy of the republic.

Besides all these reasons, as I firmly believed that the treaty instead of amicably adjusting differences between the United States and Great Britain, opened a wider door for disputes, and instead of soothing, might irritate the American mind: for I knew that the great and general complaint against it, had been silenced by a belief, timely propagated, that being negociated entirely under the direction of the President's patriotic vigilance and wisdom, there could be no grounds for complaint against it; and that this belief was groundless as appeared from a comparison of his instructions to Mr. Jay, with the treaty, and from his letter to Mr. Randolph, Secretary of State; and that the most weighty arguments in favour of immediate appropriations of money to carry it into effect, were discovered to be fallacious, or known to be truly disgraceful and mortifying. I say, knowing these circumstances, as a friend to sincere amity and a lasting peace with Great Britain, I was induced by these pure and powerful motives to endeavour to prevent the complete operation of the treaty, till new negociations might render it more likely to produce that permanent harmony and sincere good will, which it ought to be the great object of the treaty to establish between the two countries. I say complete operation, because the parts of those treaties which did not require an appropriation of money and could not be opposed by Congress: such as related to amity for instance, ought in my



opinion to have been considered as good and valid, and the other articles might have been examined, and such as Congress might have judged unconstitutional, pernicious to the United States; or perhaps even not consistent with the general welfare, for which it is the constitutional duty of Congress to provide; should have been reported to the President as proper for further negotiation; or perhaps as fit to be suspended till the 12th Article shall be amended as intended by the contracting parties. I thought if appropriations were withheld, and the objections to the treaty fully and candidly stated, the President would have been furnished with a full and sufficient apology for continuing the negotiations: and that he might have procured by the next session of Congress, a treaty, containing alterations at least rendering it conformable with the instructions which he had given to the former negociator, so far at least as they went towards securing our seamen against impressments, and our vessels against the vexatious search for provisions and enemies goods. I had no doubt that he could have steered us clear of both Scylla and Charybdis.

It is true that this would have delayed the surrender of the posts, and the settlement of accounts with the commissioners—but these inconveniencies I thought would be overbalanced, by securing a republican construction of the constitution respecting the power of the President to make treaties: by avoiding the danger of a war with France, or at least of being insulted by her, and of losing the good will of that powerful republic; and the disgrace of having sacrificed the interest of several of the United States, as to their claim on Great Britain for their negroes carried away contrary to the treaty of peace; and the interest of all the states in the rights of neutrality, merely for fear of a war with Great Britain, and to gain some immediate partial advantages.

That the House of Representatives had a right to withhold appropriations, and to examine the treaty, and propose to the President alterations, ought not to be doubted by their constituents. It appeared demonstrable to me that they have and ought to have that right. I will at present only remark, that the British House of Commons have that control over treaties made by their king, and that it cannot be supposed when our constitution diminishes the executive authority far below that of the British executive, and extends that of the legislative greatly beyond the power of the British Parliament; that it should not allow them, that right of the House of Commons; when it gives to the House of Representatives, a right to impeach the President or Senators; and also authorises them with the Senate, to declare war, that they should not have a right to examine treaties for the ill making of which they can impeach the President or his negociator, or advisers, and to which they have a right to prefer war, and propose a declaration thereof to the Senate. I will add that the negociators of the treaty themselves supposed that laws or acts of Congress, as well as acts of Parliament, were necessary to the full execution of the treaty, as appears from the following expression in the 21st Article, "*and the laws against all such offences and aggressions shall be punctually executed.*"

I am now to prove that my conduct, in Congress and elsewhere, has been uniform, and well calculated to establish the constitution and government of the United States upon a sure and lasting foundation; and never, at any time or place, in the smallest degree, such, as could have the most remote tendency to produce its overthrow; or, to excite a wish for a revolution.

*First*, as to the uniformity of my conduct. I can prove it not only by the honourable testimony of

patriotic enlightened constituents in both the districts into which my native county and place of my residence has been thrown who approved of my conduct; but by that of the members of Congress who have generally been remarkable for their uniformity in being opposed to my votes. And I appeal to the debates and journals of Congress for the truth of this testimony. I may refer to records of a much earlier date, for the decided part I took in behalf of the United States, and for the steadiness and consistency of my conduct.

*2dly.* That my conduct in Congress was well calculated to establish the constitution and government of the United States, is evident to those who believe that the constitution is founded on democratical principles; and that vigilance and republican jealousy are necessary to restrain those branches of our government which were intended to resemble the monarchical and aristocratical branches of the British government, (as far as republican principles could permit) from exceeding their constitutional powers, and claiming those which are exercised by the king and House of Lords of Great Britain: and it must be evident to those who think that opposing the funding system, the assumption of the state debts; the establishment of the Bank of the United States, and the excise laws, was opposing a system completely adapted to the taste and practice of a monarchical government; and of that government too, which by such a system has rendered itself despotic, and the scourge of the people: a system utterly incompatible with the principles of a republic standing on the foundation of democracy or the will of the people; being calculated to perpetuate the national debt, and to encrease taxes; to strengthen the hands of the executive, and to weaken and impoverish the people; to excite avarice; multiply sources of speculation, and propagate corrup-

tion: a corruption more fatal to a republic, than any evil which the craft of tyrants ever could devise: as it encourages a ravenous appetite for riches; points the way to a speedy gratification of that mischievous passion, enriches the crafty speculator without his exercising one faculty of the mind or body, which, during its exertion, can be in the smallest degree serviceable to his fellow citizens: and then leads the possessor of this ill begotten wealth, of a premature birth, to believe, that it is his interest to hush all censure of government, to stifle all enquiry into its measures; and at the same time, to see that lessening the taxes, and paying off the national debt, must be fatal to his interest, and to his proud hopes of acquiring in time, that importance or rank amongst his fellow citizens, which he supposes his riches, and his services to government justly entitle him—Nay even those who may wish for an hereditary house of lords, in our Senate, and for royal authority in the hands of the President; and who sicken at the thoughts of the prevalence of democratical principles in the United States, cannot deny, that when I voted against the funding system, I was voting in fact to pay the debt of the United States fairly with full interest according to our plighted faith; without any of that strangely and confusion of payments, so unintelligible to a great majority of our creditors: and they must confess, that simple plain honest dealing with our creditors, was more likely to satisfy and reconcile them to the government of the United States, than the complicated and seemingly dishonest mode of payment adopted in the funding system. The warmest advocates for this system, and the assumption of the state debts, cannot deny that as the constitution was established for the purpose of paying the debts of the United States, which the Congress under the confederation could not pay, I voted

in perfect conformity with the constitution when I voted to apply twenty five millions of dollars towards paying those debts, and refused to apply that sum towards paying debts which the United States owed not: and they must confess that the creditors of the general government, who saw the new Congress pledging the faith of government to pay twenty odd millions of a new debt, voluntarily, unexpectedly and unnecessarily assumed, had good reason to be alarmed, and discontented—they must therefore confess, that as I opposed that system, I supported the constitution and the government of the United States, as far as I could, and endeavoured to prevent distrust and discontent. Indeed those unconcerned in the question, will acknowledge that the assumption of the state debts was unconstitutional, and had the appearance of being adopted with a view to encrease, and render perpetual the national debt; as well as to destroy the confidence of state creditors in the states, and to consolidate the government of the United States; which consolidation being a measure directly tending to the introduction of monarchy, and a previous necessary step to it, and on that account had been an object of the caution and fears, of all those republicans, who having warned their fellow citizens against this evil, which they foretold was lurking in the constitution, were called anti-federalists, ought surely to be avoided by every one who had any regard for the rights of the individual states, who wished to preserve harmony amongst them, and between *their* legislatures, and Congress; to silence clamour, to frustrate the best hopes of a faction against the new government, if such a faction existed, and to destroy all faith in the predictions of anti-federalists. In short it was a measure which ought to be avoided, or rather strenuously opposed by every member of Congress, who preferred a republican to a monar-

chical government, and who believed that the constitution of the United States is republican, and ought not to be construed so, as to favor measures calculated to degrade the state legislatures and diminish their independence, even if the constitution had not declared that "the United States shall guarantee to every state in the Union a republican form of government." (Article IV, Sec. 4th.)

I will not, as it is a disagreeable and delicate subject, now undertake to shew that in voting against excises, I was not only consistent with my principles, but that my vote proved that I wished to avoid discontent, and furnishing grounds for murmurs and factions. I will add however, that my conduct after the laws were passed, was that of a true republican, and a friend to order and good government. For I not only acquiesced in the determination of the majority, but risked my life to enforce obedience thereto. And I have repeatedly declared that although I thought it my duty to oppose the appropriation of money to carry the British treaty into effect, I submitted to the will of the majority of Congress, and viewed that treaty as binding on the United States, although I have not been convinced that I was mistaken in my opinion respecting it.— I hope I have now sufficiently proved that my conduct instead of being factious has been perfectly constitutional, and well calculated to support the constitution and government of the United States.

But what do they mean, fellow-citizens, who dare to charge your representatives with being factious, for opposing any measure of government? Are they not enemies of that constitution which sanctions freedom of debate, the freedom of the press, and authorises free and bold enquiry into the conduct of all officers of government; as it has established the right not only of chusing other officers, but of impeachment? Are they not the friends of monarchy,

and wish to lead you to believe that your executive, like the British, can do no wrong? Do they not endeavour to confound all distinction between the measures of government and the executive? Have they not artfully made use of the President's well earned popularity to promote their own views, and to answer electioneering purposes? Is not this practice also borrowed from Britain, and were they not the first to cry out faction; and is not such conduct more factious than that which they have arraigned? Judge then whether such persons deserve not your detestation instead of your attention, and compliance with their wishes. When your constitution points out a mode by which it may be altered, can it be factious to say it has defects, that it requires amendments? and can I be called factious and an enemy to the constitution who have endeavoured to construe its ambiguity in such a manner as to shew it requires no alteration? But my friends if it be criminal now to censure public measures which appear dangerous to your liberties, when such censure is authorised by the constitution, and become a sacred duty to those who have sworn to support it; how criminal were they who induced me and many of you to believe that it was meritorious to oppose the unconstitutional measures of our then sovereign the king of Great Britain. If there be a man in any department of government, or who expects to get in, and who has been a supporter of the measures against which I have voted and now endeavours to hush all complaint, and to silence all enquiry respecting the propriety of his conduct, by calling such complaint and enquiry factious: by attributing the censurable measures of Congress to an amiable and justly popular President, and charging those who exercised their constitutional right, and who shewed a firm and unbiassed mind, with a perverse and ungrateful enmity to him: I say such

a man is an enemy to the President, and to that constitution of which he may be said to be father and chief support : as he attempts to degrade him, to the condition of a detestable tyrant whose will must not be opposed ; and puts the representatives the support of that constitution upon a footing with the tools and abject slaves of such a tyrant : and such a one exhibits in himself an instance of a proud selfish tyrannical disposition ; a disposition which would lead him, had he the power, to send those who opposed his views to a dungeon, or into perpetual exile—a tower, or bastille, and a Botany Bay, if not the guillotine of a Robespierre, would soon be a favourite object to such a man.

Refuse me your votes, fellow-citizens, give them to whom you please, I shall be resigned to your will : I shall never enquire why you prefer another to me : it is your constitutional right to chuse your representative, and to judge for yourselves of his merit : but I conjure you to suffer no man to deny him the right of voting against measures which he may think unconstitutional, and injurious to your true interests. —Discountenance I adjure you, by all you hold dear, the insolence of those who compare to modern jacobinism, and the fanaticism of insurgents, the pure, the sacred sentiments, which gave birth to your liberties, and to your constitution.

May you never have cause to censure the votes of our representatives more than I think you have now : and may you and your posterity long enjoy the blessings of peace with all the world, and harmony at home ; and the inestimable benefits to be derived from the present union of the states, and the happy constitution by which they are bound together.

I will address you again, as soon as I can copy and present to you, what I wrote about three years ago ;



in the mean time I remain with the highest respect  
and sincerest affection,

your friend and fellow-citizen,

JOHN PAGE.

### POSTSCRIPT.

ALTHOUGH the charge which had been brought against me of being anxious to involve our country in a war with Great Britain, is too absurd to deserve my notice; yet as some of my friends have expressed a wish that I should say something respecting it, I will here insert an extract from my speech in Congress on the subject of the treaty, and an extract of a letter which I wrote to Mr. F. Charlton at York, in Dec. 1793; remarking first, that all those who wished to enter into a treaty with Great Britain, and who dreaded the success of the French revolution, constantly held up every member of Congress who was opposed to that wish, and indulged not that fear, as an anarchist, and as disposed to plunge his country into a war with Britain—they wished to exclude every real friend of peace and good government from a seat in Congress; for I call those only real friends of peace, who whilst they wished for peace with Britain, wished also to avoid a war with France: and I look upon those only as friends of good government, who cherish republican principles, republican constructions of the ambiguities of the constitution, and who wish that the government of the United States may retain the good will, affection, and if necessary, the support of the French Republic. In my speech, which may be seen in the newspapers and in Mr. Bache's collection of the Debates on the subject of the British treaty, I said,

“ The citizens of the United States wish not to  
 “ be at war with the British nation; nor can the  
 “ people of Britain desire a war with them. Both  
 “ must wish for peace, and a full commercial in-  
 “ tercourse upon liberal terms; and as the Execu-  
 “ tive authorities of both countries are well dis-  
 “ posed to each other, and have, as far as in their  
 “ power, carried the treaty into execution, what  
 “ reason can be assigned why we should be involved  
 “ in a war? It has been said, that the United States  
 “ will be obliged to declare war, on account of the  
 “ British refusal (which may be expected) to de-  
 “ liver up the posts, and to make compensation  
 “ for spoliations on our commerce; but I see  
 “ no necessity, for such conduct. For my part,  
 “ should Britain never give up the posts, I would  
 “ not vote for war, nor be at the expence of a single  
 “ regiment to take them; nor would I go to war  
 “ to recover losses sustained by spoliations. For, if  
 “ we reject the resolution before you, Sir, we may  
 “ be at liberty to pass such a bill as we passed in  
 “ the year 1794, by a majority of twenty four mem-  
 “ bers, and for which thirteen senators then voted;  
 “ and should the Senate concur with us, in passing  
 “ it, we might use it more effectually than a de-  
 “ claration of war for the recovery of the posts, and  
 “ reparation of wrongs. As to war, as my colleague  
 “ yesterday said, I have reason to deprecate it, for the  
 “ sake of my constituents, and for my own sake; for  
 “ I have experienced enough of its evils: but I can-  
 “ not think, that I ought to sacrifice their dearest  
 “ interests merely from an apprehension of the dan-  
 “ gers of war.\*”

*Extract of a Letter to Mr. F. CHARLTON.*

I declared that “ I am of opinion that the United States ought not only to refrain from intermeddling

\* Part 2d, page 166, of Bache's Collection of Debates.

in the present war, but should never engage in any, except inevitably forced into it: that however earnestly I might have wished that the United States could have had the glory of assisting their republican allies, and of humbling the pride of insulting monarchies: and however firmly I believed that had these states been united in sentiments respecting the policy of joining France, that they could have been the means of bringing about peace in a shorter time than might have been expected in case of their neutrality; and that they might have put it out of the power of Britain ever to endanger their independence; might have checked her influence with the Indian tribes, and induced her to open her ports in the West Indies to our commerce; yet, I could not prevail on myself, as *a republican*, to think, that national pride should be permitted to lead us into measures, by which national quiet, and the blessings of peace must be sacrificed; or that the speculations of politicians, founded on the probability only of future uncertain contingencies, and most of them the most uncertain of human affairs, I mean the operation of wars, and issue of battles, should induce us to incur the expences attending on a state of war, ~~and~~ abandoning the advantages of peace, and the exercise of economy and wisdom in finance, by which we may certainly secure our independence, and become great, respectable and happy.

“In pursuit of wealth and grandeur, an individual monarch may prefer war to negociation; but a republic should avoid wars, not only as injurious to commerce, agriculture and morality, but as endangering the liberty in which it glories. I look upon the love of peace, and the exercise of every social virtue, as belonging to the character of a good republican. Without this disposition the strong hand of monarchy must sooner or later be necessary; but

with it, perfect liberty may be enjoyed. I can only add, that I am,

your obliged humble servant,

J. PAGE."

*Rosewell, Dec. 28th, 1793.*

To Mr. F. Charlton }  
of York Town. }

I will also add here my address to you, dated May 12th, 1794, as it may serve not only as some apology for what has been called my neglect of my constituents; but as a proof of my aversion to war.

*Philadelphia, May 12th, 1794.*

FELLOW CITIZENS,

I AM not qualified by habit, or education, to harangue you; and if I were so qualified, I should not be fond of countenancing a practice, which may in time, expose electors to the mortifying reflection, that they had preferred an orator to a statesman; flashes of wit to sound judgment, and empty words to substantial proofs of genuine patriotism.—I have therefore not made any verbal address to you in your counties. I wished, however, to have seen and conversed, if possible, with every one of you singly: and had my health at one time, and the state of my affairs at another, permitted it, I should have gone far towards gratifying that wish. I should with great pleasure have heard your sentiments respecting the affairs of our country; and with frankness have confessed mine—I should also with sincerity have acknowledged the obligations I am under to you for the confidence you have reposed in me, and for the honourable proof you have given of your approbation of my past conduct, as a member of Congress; by giving me your votes at the last election, whereby I was a third time elected a Representative of a district, in which my native county lies. As I have not been able to do this in person, accept of my best thanks

in writing; and of my assurances, that I will endeavour to discharge my duty, in the important office with which you have invested me—a variety of circumstances prevented my doing this, before I came here; and since my arrival, which was much later than I wished (having been detained at home by indisposition) I have been so engaged in the interesting business which has employed the attention of Congress, that to this moment, I have not had leisure to address you in writing. You will, as freemen I hope, think with me, that it is of more consequence to you and our country, that your Representative attend to his duty in Congress, than to his interest in his district. You will therefore I hope excuse me, if I take not up our precious time, in writing an account of the proceedings of Congress—but refer you to the papers and journals for information respecting them. Indeed a Representative who undertakes to give an account of the proceedings of Congress, may be led into a justification of his own opinions, and votes, and a censure of members, who may have voted as conscientiously as himself—he may influence his constituents to approve of measures, which if left to their own unbiaſſed judgments, they might condemn; or to disapprove of what might receive their highest approbation. *My knowledge of your exposed situation; my all, exposed with you; my experience of personal losses, and views of distresses in the last war, sufficiently guard me against favouring measures calculated to produce a war; had I not, from a principle of humanity, which I shall ever cherish, loved peace; and from a love of liberty, detested war, as dangerous to all that freemen hold dear—I have therefore uniformly voted for such measures only, as were likely to show to the British government, that although their treatment of the United States might justify Congress in a declaration of war, we would assert*

our rights, do justice to our injured fellow-citizens, retaliate on Britain, in a commercial way, and yet abstain from war, unless rendered necessary for self-defence. Certain orders of the British King, and the manner in which they were executed in the West-Indies, added to several other circumstances, gave Congress just grounds to suspect that, had the combined powers been successful against our Republican allies of France, the United States would have been forced into the war. The uncertainty of the events of war, and the exposed situation of our coasts, rendered the fortifying of certain harbours, the erecting of arsenals, and the procuring of arms and ammunition necessary; as well as the raising of a corps of artillery,—and the Indian war requires the filling up the regiments on our western frontiers—all which, added to the necessity of a naval force, which Congress thought the Algerine depredations pointed out, required large sums of money beyond those which the present taxes can yield; and therefore considerable addition has been made to the former taxes—some have been resorted to with reluctance—but we trust that the virtue and good sense of our constituents will induce them to acquiesce in them with cheerfulness, as indispensable to the honor and safety of their country. A tax on imports, tonnage, and excise, although not so immediately felt by our fellow citizens, who on this account, by the bye, are careless about the expenditure of public money, is in fact at length paid by the landholder—for the importer and distiller lay on their articles not merely the amount of the tax, but considerably more, and give less for the productions of the planter and farmer, on account, as they say, of their inability, occasioned by taxes on them, to pay more—hence it is, that an equalized land tax has been thought by many to be more equal, and better adapted to a free people, than only im-

posts, tonnage, and excise, which have been found to pick the people's pockets without their missing their money, till they were beggared and enslaved. The glorious successes of our allies, we trust, will establish their freedom, and the rights of man; and at the same time secure us against the dangers of war. I have not leisure at present to add more, than that I am with sincere

affection and high respect,  
your faithful and obedient

REPRESENTATIVE,

JOHN PAGE.