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FROM THE VERMONT JOURNAL.

MR. ELLIOT,

TO HIS CONSTITUENTS.  
LETTER I.

A representative of the people is frequently placed in situations of peculiar delicacy. His conduct may be misunderstood, and his motives misrepresented; and it may at the same time be improper for him to enter into a public explanation with his constituents. Such was my situation previously to the late election, and some may be of opinion that my silence ought not even now to be broken. But the most powerful motives impel me to communicate to those who have done me the honor to confide in me their most important interests, the truth and the whole truth, in relation to the political concerns of our country. As a sentinel over the rights and interests of the people I have been placed upon an elevated eminence; and in that situation I have made discoveries of such importance, that I should consider myself as treacherously neglectful of my duty, were I to withhold them from the public eye.

Already denounced, I am aware of the new denunciations which await me. I shall be accused of abandoning my party and becoming an apostate from republican principles. I shall even be charged with treason, in advancing sentiments which may be considered as tending to produce a dissolution of the Union. Against falsehood and calumny I shall always be able to oppose the shield and helmet of truth and a good conscience. Those who know me will believe my motives to be pure, whatever opinion they may form of my discernment; and to those who know me not, and in whose minds I am already condemned, I will address the laconic exhortation of a celebrated ancient to his passionate opponent, *strive, but hear me*. Aside from the circumstances of the late election, I have ample evidence that my conduct in congress has been misunderstood by many, and that I have been considered as giving anti-republican votes, in opposing some of the most aristocratic measures ever adopted in our country. I am a republican. On certain subjects, however, it is time to speak out, and to speak with energy. There is a party in the U. States consisting of moderate and reflecting constitutional republicans, first rather than a third party and which is not entirely composed of individuals like myself, humble and unimportant. It embraces many of the best and greatest patriots of our country; men, against whose spotless fame, even malice, dares not to raise her voice, and to whose talents millions pay homage; men, whose abilities and virtues are destined, I hope and trust in God, to preserve the United States from many political evils. The objects of this party are, the preservation of the constitution in all its energies, and the union of all honest men. I know that the union of honest men is reprobated by some as a treasonable project, but it must be censured by the vicious and enthusiastic, only; the good and wise believe that nothing else will save the union, at some future time, from division and destruction.

Limited as has been my political experience, I have learned that violent party men are almost always wrong. They view political objects as thro' a glass darkly. If the fury of party spirit be not speedily checked, moderation will become as great a crime in America, as it was in France during the reign of Robespierre. Self created organs of the public will, already denounce every one, whatever may be his situation or character, whose conduct is distinguished by the least display of conscientious independence. Among republicans, among ardent republicans, it is already criminal to be an honest and independent politician. A new despot is created, all powerful and irresistible, on the footstool of whose throne we are commanded to bow the knee, and to whose imperious mandates it is essence of democracy to yield passive obedience. Who is this despot? It is a phantom, but not the less powerful for being imaginary; like other phantoms, it has power to mislead and terrify.—It is what a certain juno please to term the public will. A few ambitious individuals undertake to anticipate the public sentiment upon all political subjects, and, to the shame of our country be it spoken, a considerable portion of the people yield a too easy acquiescence to the mighty usurpation. *The voice of the people, when it is the result of correct information and cool reflection, is always just.* But the people may be deluded. Deluded they have been, at particular times, in every age and nation.

An attempt is making to divert the current of popular opinion to an improper channel: It now glides like the rivulet, it may soon thunder like the torrent. The people will be told that the constitution is an odious system of aristocracy; that the President must be elected by the people at large; that the Senate must be destroyed, or at least greatly weakened; that the judges must be rendered elective; and that all who oppose this glorious renovation of our political system are

federalists and enemies to freedom. There is too much reason to fear that this gilded pill will be greedily swallowed, although nothing can be more certain than that the constitution, in proportion as it is rendered more democratic, becomes less federative, and destroys the rights and interests of the small states. The small states may be deprived of their rights by the combined operations of violence and intrigue; they may be terrified and deluded; they may regret their delusion only when their chains are fastened; and they may possibly be doomed to close an inglorious career by the commission of political suicide!

I shall be accused of political inconsistency. The accusation, however, can only be founded upon injustice, and supported by deception. I oppose many measures of the federal party, because I believe them anti-republican, and pernicious to the best interests of my country; and that opinion remains unaltered. But I have changed my opinion as to some men and some measures which are called republican. I oppose a juno calling themselves republican, from the same view, and with the same motives that I opposed the former administration; for I shall always oppose what I consider as aristocracy and persecution. I draw a line of discrimination between the administration and a faction who dictate equally to the government and the people. To explain and justify my own conduct it is necessary that I should describe that of those to whom I stand opposed: But I shall do it without impeaching the integrity of any man in public life. I have no private views to promote, no personal resentments to gratify; and I have learned to repress the aspiring spirit of juvenile ambition. The first wish of my heart is to see my country free and happy, and I always deem it my duty to devote my feeble efforts to the support and preservation of her freedom and felicity.

Probably I shall be the last man in the United States who will change principles, or even parties, unless parties shall change principles. I profess still to be, as I ever have been, a moderate and consistent republican; but in my public capacity, I consider myself as the representative, not of a party but of the people. *I am most decidedly in favor of a union of parties in the northern states upon constitutional principles.* I believe it necessary in order to preserve the Union and fulfil the injunctions of the illustrious Washington. It is also in strict conformity to the opinions of the present President, who has declared to the world that we are all federalists and all republicans, and of course that our political distinctions are rather nominal than real. As the terms federalist and democrat, although innocent and correct in themselves, have been reciprocally odious, it would be well if we could unite as a band of brothers under the appellation of *constitutional republicans*. At all events, I shall continue to consider myself as the representative of all the people of the district, and to devote myself to the support of the constitution. For my numerous enemies, some of whom will never cease to calumniate me, I will offer in humble imitation of Him to whose merits I look for happiness beyond the grave, this most benevolent of prayers—*Father forgive them, for they know not what they do.* My only political friends shall be the friends of real liberty, and my enemies shall be the enemies of the people.

JAMES ELLIOT.

LETTER II.

The first important subject, which came before congress, on which it became necessary for me to abandon either my principles or my party, was the first bill for the temporary government of Louisiana. By this bill all the military, civil and judiciary powers, exercised by the officers of the existing government of that territory, were to be vested in such person or persons, and exercised in such manner as the President of the United States shall direct. Surely a government of this description must be a perfect despotism; and this indeed, was admitted by its advocates, who justified the measure on the ground of necessity alone. This necessity I could not discover. By the law of nations the institutions of the ceded country would remain in force until changed by the legislative power of the United States; and it could be the work of a few days only to devise some system of a general nature, which should be competent to the temporary government of the territory, and at the same time consonant to the republican principles of the constitution. The union of legislative, executive, judicial, and military powers, in an individual was utterly irreconcilable with the spirit of that instrument, and the delegation of a power to the president to appoint a supreme governor of the territory, was repugnant to its letter; the constitution having authorized congress to vest the appointment of inferior officers only in the president alone. By the institutions of ancient Rome, when the senate received information of the conquest or cession of a country, they con-

sulted what laws they thought proper should be prescribed, and sent commonly ten ambassadors, with whose concurrence the general of the troops in the conquered or ceded country might settle its concerns. The two first laws which congress passed relative to the government of Louisiana, display a very singular improvement upon the two republican systems of the ancient Romans.—It is a subject of pleasure and of pride that I opposed them; and I am clearly of opinion that the adoption of similar measures, by the federalists, while they held the reins of power, would have been considered by the republicans as unquestionable evidence of a disposition to create a monarchical system of government.

The celebrated alteration of the constitution, providing for a distinct designation of the electoral votes for president and vice-president, comes next in order to the present review. The following letter which I addressed to the council and house of representatives of this state unfolds the views and motives which governed my conduct in relation to that subject. The council although they had forwarded to me an instruction in the form of a request to vote in favor of the amendment, forbade their Secretary to read to them my reasons for disobeying their instructions. This conduct may have been truly republican, but it will be proper, previously to the admission of that point, to examine the constitutional power of the state legislatures to instruct representatives or even senators in congress, with respect to amendments to the constitution. The constitution has declared that "congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or on the application of two thirds of the legislatures of the several States, shall call a convention, &c." Congress are vested with a perfect discretion in the case; they may propose amendments when they deem it necessary. Congress and the state legislatures are, constitutionally, distinct initiative bodies, as it respects amendments each completely independent of the other.—To justify the state legislatures in instructing even senators to propose amendments, the constitution should first be amended so as to read thus—Congress, whenever the state legislatures shall instruct them to deem it necessary, shall propose amendments, &c. I shall at this time only add that I have, upon mature reflection, altered the opinion avowed in the following letter, that the amendment is not materially injurious to the small states; and I shall devote my next letter to an exhibition of the reasons which produced in my mind that alteration.

Washington, Dec. 10, 1805.

SIR,

I duly received a communication from his excellency the governor, covering a resolution of the council and general assembly, instructing the senators, and requesting the representatives of the people of the state, in congress, to use their exertions to obtain an amendment to the Constitution of the United States providing for a distinct designation of the votes for President and Vice-President. Previously to the arrival of this communication, a resolution providing for that subject had passed the house of representatives by a large constitutional majority, and was sent to the senate for their consideration; for that resolution my vote was given. The senate did not act upon the resolution but originated a new one, contemplating another material alteration in the constitution, connected with the principle of designation. The alteration to which I allude is a provision that in case the house of representatives shall not make a choice of the President, when the right of making such choice devolves upon them, before the fourth day of March, the Vice-President elect shall be President for the next four years. To the resolution from the senate, myself and six other members of my own political sentiments, four from Massachusetts, one from Pennsylvania, and one from Virginia, after making fruitless attempts to amend it, were compelled by the dictates of conscience to give our decided dissent; and it becomes me, in the peculiar situation in which I stand, respectfully to offer to the legislature of that state which I have the honor to represent, the reasons for my conduct.

We were all attached to the great principle of designation, but we thought the additional provision of the senate calculated to reproduce the same evil which that principle was intended to remove, by creating new probabilities of the introduction of a man to the Presidency, who was never contemplated as a suitable candidate for that office either by the people or the electors. We urged that the day would probably soon arrive, when new political interests would arise in our country, and numerous candidates be presented for the Presidency.—That upon the establishment of the principle of discrimination, the office of Vice-President would become of minor consideration, and the public attention would be turned upon all the most prominent characters in the Union, merely as candidates for that of Pre-

sident. That two large states, each involving several smaller states within the circle of its influence, might present two candidates, equally and pre-eminently qualified for the office of President, and equally or nearly equal, in the number of electoral suffrages, to the house of representatives: That each of those great states might be obstinate in its pretensions, and that several small states might, as happened at the last election, be divided and give no vote; that it would be in the power of two or three individuals to prevent an election; that the Vice-President, although chosen either by the electors or the senate, would be enabled to promise these individuals the first offices in the power of the executive to bestow, although they might be as totally unqualified for them as himself for the presidency; and that he might make this promise with a perfect certainty of being able to perform it, if they should protract the election until the fourth day of March. We urged that this could not be considered as improbable that the American people, although new virtuous, would be at no remote time in some degree corrupted, and would always possess ambitious and unprincipled individuals of talents and influence. That the proposed addition to the constitution contained language inconsistent with the commanding voice of the original constitution by which the House of Representatives is directed to make an election of President at all events; and that, although the imperative stile could not be considered as intended to coerce moral volition, it was improper, after commanding the house to make a choice inmediately to tell them they may do it or not as they please. That this provision seemed to invite to corruption and to open a broader avenue through which intrigue and ambition might advance to the very vitals of our republican system than any free people had ever established as a radical principle of their constitution. That it was dangerous to alter the constitution with precipitation, and to insist upon blending with a principle which the public sentiment unequivocally demanded, a novel principle which the people had never contemplated. That it was irrational to conclude that the discriminating principle would be lost by a rejection of the present resolution; conference with the senate might follow, and an accommodation immediately be made, or the senate might proceed to consider the resolution sent from the house, and the probable result would be its adoption.

Although almost every member in the majority allowed our objections to possess great weight, we were not favored with many answers to our arguments. We were only told the evils we feared might never be experienced and that if we did not accept the resolution in the form in which it passed the senate, we should in all probability lose its principle altogether.

The members who generally constitute the minority in the house upon political questions supported our objections, but relied principally upon a point which I consider untenable, viz. that a principle of discrimination between the votes for President and Vice-President, impairs the privileges and relative weight of the small states in the Union. They supported this position with much sincerity and ingenuity, but I could not discover great force in their arguments.

I possessed the sentiments of the legislature and people of Vermont with respect to the question of designation, but could not anticipate their opinion upon extraneous subjects, and therefore felt myself at liberty to vote against the resolution, which was carried by the casting vote of the speaker. It was matter of great consolation to me in this painful situation to find so many members, of the same political sentiments with myself, and of much greater political experience, uniting with me in opinion; a circumstance which will preserve me from the imputation of having adopted a solitary and eccentric opinion, from prepossessions adverse to cool reflection.

JAMES ELLIOT.

NEW-YORK, April 26.

POSTSCRIPT.

The ship Oliver Ellsworth, capt. Bennett, arrived here yesterday, in 40 days from Liverpool. We have received from capt. Bennett a file of London papers to the 10th, and Lloyd's List to the 9th ultimo, which enables us to lay before our readers news several days later than has been received by former arrivals.

LONDON, March, 6.—Government have we understand, received intelligence that an unusual degree of activity has lately prevailed in the Dutch Ports; and it is also reported that Buonaparte was last week at Boulogne. If Buonaparte has seriously determined to make an attempt upon this Country, we think it probable that it will be made soon, because from the disposition manifested by some of the great Continental Powers, it is not very likely that he will