



AND
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One are the plans of fair-delightful peace,
Unwarp'd by party rage, to live like brothers.

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The following Address to the People of the State of Pennsylvania, contains the reasons in support of calling a convention for the amendment of the Constitution of that State;

TO THE DEMOCRATIC CITIZENS OF PENNSYLVANIA,

The Address of a numerous meeting of the Members of both Houses of the General Assembly.

Friends and Fellow-Citizens,

Occurrences, painful in themselves, not wholly unforeseen, but which an invariable moderation, on the part of your representatives in the General Assembly, ought to have prevented, reduce us to the necessity of addressing you at the close of the present session of the Legislature. The necessity is painful; but, as the cause has increased in aggravation, in proportion as the Assembly has displayed patience and forbearance, there appears to us no alternative between an appeal to you, or an abandonment of your rights and the respect due to your representatives. Principles and not men, were the foundations on which American independence was established. Principles and not men, have been the objects of contest, ever since, between the several parties which have arisen under our government; but we are now brought to a point, when it is to be determined, by the public suffrage, whether men setting at defiance the wishes of the people and the principles of representative government, shall govern Pennsylvania.

Your political contests, in 1797, 1798, 1799 and 1800, were for the establishment of a free government; for a time, the end you proposed, promised to be attained; and though particular deviations from your wishes were perceived, you were willing to make allowances for human infirmity. At the close of the administration of the late Governor, our political affairs had, by the peculiar circumstances and habits of that gentleman, been involved in perplexity and danger. His pliant temper was abused, to the detriment of the State; but your declared rights were not openly violated, nor were your representatives insulted; the recollection of his revolutionary services, and your habitual moderation, over-looked his infirmities, until they had involved the commonwealth in danger and actually brought on a political crisis in the State. The federal government was seated in your principal city, and an aristocracy fostered by the members of that government; your assemblies were assailed by the flatteries, the seductions and the intrigues of the aristocracy, and by the influence of a foreign mercantile body, which labouring to contaminate, constantly agitated your legislature. If they could not seduce the state representatives into acts subversive of public right, they frustrated measures of real utility and necessity; until the republicans were thrown into a state of disorganization, by all these various causes, and the unstable and temporising conduct of the State Executive.

The people of Pennsylvania, at length aroused, saw with apprehension, this powerful combination of interests and influence, opposed to their prosperity; and every remedy which the experience of years and the sagacity of strong minds pointed out, was deemed precarious, or presented only a choice of difficulties. You did not know your strength; and the want of that knowledge produced an uncertainty which was in effect the same as the want of power.

It became necessary to make a choice of some character for Governor. That moderation which has ever been the peculiar virtue of representative government, although very often the cause of its misfortunes, required on this occasion, that all private considerations should give way, in order to rescue the commonwealth from its present evils and impending dangers; the people at large had a lively sense of their situation; prejudices and prepossessions, which had been employed with too much success to keep the deceived in subjection, were now shaken off. A common desire to lay aside partial feelings for the promotion of the ge-

neral cause, prevailed and produced an unanimity, which steadfastly pursued, overcame all resistance, and appeared to place the republican institutions upon their natural foundations. At the meeting of a few decided and influential men, to whom the selection of a candidate for the office of governor was tacitly referred, several gentlemen were brought into view from different parts of the State. On the first meeting Thomas McKean had the least support. Many of those who had assembled, were apprehensive that his austerity and aristocratic habits would render him unsuitable for the chief magistracy of an unostentatious people; they saw in him a man of strong mind, biased by a bigoted attachment to a particular class of men, confirmed by years of professional contention and domination in courts of law. Address and management were then seen in motion. Those who advocated his selection, laid much stress upon the torrents of abuse that had been lavished upon him by the federal party, in the insolence of their ascendancy; they insisted on the importance of a character, capable of vigor and decision, in trying times; but here were others who apprehensive that that vigor of character which had already on many occasions exhibited a "virtue beyond the law," might, at some future day, be directed against those to whom he should then owe his elevation. Promises, to the extent of the public hopes were given in return for these forbearances; and to give them strength, an early opportunity was taken to draw from him a specific engagement, to confirm those who had doubted, and to assure those who had confided, Mr. McKean took occasion to hurl at the heads of Tories, traitors, refugees and apostate whigs a fulmination which exceeded the expectation of the republicans, and to which they silently submitted, under the impression that it fixed an eternal and impassable barrier between him and the adversaries of popular government.

Dispositions so frank and generous, naturally overlooked inferior considerations; the same temper in its ardor, was open to assurances and promises, delivered with plausible earnestness, pressed with dexterity and untired zeal.

In a word, it was held, that division on this occasion would be more prejudicial than any consequences that could result from Mr. McKean's election, and he was taken up and elected by the great body of the farmers of Pennsylvania, in opposition to the whole interest of the federal government, the mercantile interest, and of all that were aristocratical or disposed to introduce a system subversive of freedom.

During the three first years, except in an ungracious distribution of public office and emolument among his relatives and persons connected with them in various ways, Mr. McKean's administration, promised, upon the whole, to be beneficial to the State; but soon after his re-election in 1803, dispositions and associations, which were not to be reconciled, either with delicacy or with the supposed severity of his character, excited apprehensions of evils which have since been realised.

Motives, which are not yet publicly explained, and which do not belong to us to discuss upon this occasion, soon produced an amicable & intimate association between him and his former libellers; a circumstance that would not merit notice, were it not covered with an opposite temper of disrespect and indecorum towards the members of the legislature; his name was employed as the patron of political disorganization, unchecked by him, although proceeding from officers immediately appointed by him, and paid by the people; the independence of the legislature, though displayed with equanimity, was treated with distant sullenness and private vitulence; whilst those who had formerly calumniated, and had now become his flatterers, were the auditors and the exulting reporters of these distressing truths to an insulted public.

These operations proceeded hand in hand with the formation of a third party throughout the State, and if we may credit appearances, throughout

the United States. A ticket formed by the officers of executive appointment, and composed of a mixture of time serving republicans and noted federalists, was distributed from the governor's coach, by two of those officers, who accompanied him, and daily held him up as the patron of faction. This attempt was frustrated by the force of popular suffrage, and he was driven to disavow, only after defeat, what he had really taken pains to promote without success.

These first open overtures of disaffection to the wishes of the people, and to the principles upon which he had been placed in the station of the greatest honour and patronage in the commonwealth, were succeeded by others, calculated to spread discord more extensively, or to provide for its project not avowed. The officers of executive appointment very generally, (although not all so base) have, for nearly two years past, denounced the tried and genuine friends of the people as *anarchists, innovators, disorganizers and Jacobins*—and at the same time preached an *executive perfection & moderation!* When public opinion was agitated in various parts of the State, last year, the same men who denied the existence of any third party, held correspondence with the discontented, and encouraged them; promises of executive promotion were held forth as baits for disaffection, and those who were acting in the work of disorder, were instructed to clamour disorganization against whom they attacked; but after assuming various masks, they have at length unfolded themselves by a notorious act of deception, in holding forth the name of a venerable patriot as their leader—a venerable patriot, who disclaims an association under the specious name of "Constitutional Republicans," the acts of which are repugnant to the constitution itself.

Such, fellow citizens, has been the varying aspect of political affairs, from the nomination of Thomas McKean to the present time; in 1799, you elected him under the impression of his being a friend to the people; you now find him insulting you and your representatives, and becoming the *real head of a faction.*

A review of his administration, will prove that what we here assert is not declamation; but a relation of facts, too serious not to produce sensibility, painful and bitter, to every friend of republican government.

Under the former federal administration a continual effort had been making to consolidate the state governments, and reduce them all under the absolute subjection of one. The legislature of 1802 wishing to avail themselves of the republicans as centinels, and to keep as much as in them lay, the governments distinct and independent of each other, passed a law declaring certain offices held under the United States, incompatible in the same persons, with offices held under this state. You saw him negative this law, and assign for reasons,—because "It appears to me to intimate an *unreasonable jealousy* and distrust, not only of the virtuous and great chief magistrate of the Union, but also of the *chief magistrate* of Pennsylvania, both chosen by the people themselves, and known to be unequivocally disposed to secure and promote their happiness"....and because I have a few months ago persuaded a gentleman not less distinguished for probity than talents, to accept the commission of Recorder of the city of Philadelphia;....but this law was passed by the legislature without his signature.

You have seen him in the same year put his veto upon a bill, entitled,—"An act for the recovery of debts not exceeding one hundred dollars;" to this he affected to state constitutional objections; but he also offered as reasons the following—because "the jurisdiction would devolve upon persons of incompetent skill generally speaking in the law"....that magistrates would decide, "instead of *independent judges*;" and that "provision should have been made that the parties might be heard before the magistrate *by counsel*."

A law, containing similar provisions, was again passed by the legis-

* General Peter Muhlenburg.
† Alexander J. Dallas.

lature, and again negated by him; but was afterwards enacted by a constitutional majority, without his consent.

You have seen him retain in office, persons who had amassed immense fortunes at the public expence, but whose conduct had rendered them obnoxious to the people; persons known to have the disposition and the power to exercise indirect oppression and injustice against such as entertained the political principles upon which the executive came into office.

You have seen him put his veto on a law, taxing an office yielding enormous emoluments, and assigning as reasons, not the ground of the constitution, although that forms a part of the pretext, but because the compensation to be allowed (about 2,500 dollars) is inadequate to the object and unreasonable in relation to the officer; and secondly because it was encroaching upon the prerogative of the executive and circumscribing the choice "by rendering it the interest of the officer to resign." Yet an act containing a similar principle was again passed, and he suffered it to become a law without his signature.

You have seen him appoint, to offices of honor and profit, as well civil as military, persons whose names were scarcely known in Pennsylvania, in preference to men long known, and entitled to confidence for their meritorious services.

It is perfectly within the knowledge of the great body of the people, that one of the first acts of Mr. McKean's administration, was the appointment to the station of Attorney General of this Commonwealth—to the station of public prosecutor and preserver of the peace & laws, of a man, who had, in a manner scarcely without example, in times of peace, violated the laws of the state and the peace of society, by an attempt to assassinate, in open day, an individual who had contributed more perhaps than any other, by unwearied and ind fatigable zeal in the public cause, to elevate Thomas McKean to the chair of state.

In 1803 you saw him put his negative upon a Bill entitled "an act to authorise any person to erect mill dams," &c.—and for which he gives as reasons, though he admits it would be beneficial, because, "it confers too great a power on gentlemen (justices of the peace) of that character in general."

Within the present session, he has returned, an act explanatory of the act for the regulation of the payment of costs on indictments, without his signature; but, having kept it beyond the time limited by the constitution, it of course became a law without his consent.

A law establishing a supreme court in the western part of the state, an object much desired by the western portion of our constituents, was passed in the present session, and sent to the governor for his signature; but it was not returned when we adjourned, and cannot become a law at least till the next session of the legislature.

By the constitution (art. vi. § 5.) provision is wisely made, that the treasury shall be at all times, and under all circumstances, within the control of the legislature; but during the federal ascendancy, the constant practice of that party being to throw all effective power, patronage, and influence into the hands of the Executive, the appointment of the Comptroller and Register General, the only efficient checks upon the treasury, was put into the hands of the governor; and those officers, intended as checks as well upon him as upon others, were rendered liable to removal at his discretion. From this injurious regulation, the state had sustained under former officers great loss and damage. With a view to bring back the appointment, of these officers, to the safe ground, intended by their institution, the present legislature passed an act, by a large majority of the House of Representatives, and by the Senate wanting only one vote of two thirds, vesting the appointment in the legislature and repealing the former act:—this act, also, was negated by the governor, and he gave for reasons the following—"Merit alone will not se-

cure their re-election."—"Having been a member of as many congresses, conventions, legislative assemblies, and other public bodies as perhaps any gentleman of the United States, permit me to declare, that from all my experience and observation, a large public body is not so well qualified to select the best characters for subordinate offices as a single person, responsible, unfettered, and independent." He continues—"I have no ambition for power—but I trust I shall be ex used in holding it as a sacred duty to transmit the constitution (which approaches us nearer to perfection as any that ever did, or does now exist in the world) to my successor unimpaired and unshackled by any act of mine."

Language and sentiments such as these might be employed in countries where men are born legislators and rulers, or where the monarch or the despot assumes the power of nominating his successors, and determining what may or may not be the constitution—but to you we submit what apprehensions such sentiments ought to excite.

The existing constitution of the state declares and guarantees to the citizens of the commonwealth, the right of addressing the legislature by petition, memorial, or remonstrance. Availing yourselves of this right, addresses have been presented to the legislature from various parts of the state praying an amendment or alteration of the constitution. The right to authorise this, rests with the people inherently, yet what has been the language of the magistrate chosen only for three years to execute the law? We relate it with mortification, but with truth, that he has decl red to members of the legislature—"The promoters of the memorial are *idle & villainous*, and the signers *base*....it shall never be....I will not suffer such a thing to take place." Fellow citizens, what are these meretricious means of prevention?—Arms or corruption! if there are any other means that could be employed to prevent it, we know them not—and we know our constitution too well to believe, that either the one or the other, or both, could succeed.

In consequence of numerous petitions, and of the universal complaints made against the injurious, vexatious, tedious, and expensive mode in which the administration of the courts of law is conducted, an act was passed by us in the present session, by a large majority, in which the amicable and peaceful principle of arbitration was introduced: and by which provision was made for reducing to a reasonable standard the costs attendant on suits; and for settling light pecuniary disputes without the interposition of a lawyer. This salutary law, which might have obviated many of the complaints, that have induced great numbers to solicit the call of a convention, the governor also returned with his veto; and, not content with resisting the wishes of the people in so many points interesting to their peace and happiness, what he gives under the name of reasons, are couched in a style of irony and derision, that forbids all considerations of forbearance or future cooperation with a magistrate, who so much mistakes his duty to the people and to their representatives. "He says it would be more eligible for suitors in courts to pay a certain stipulated sum of money to the state for an allowance to have a trial by jury in the first instance." And in the same style he proceeds to say, that the bill "should have been submitted to the several Presidents (of courts of law) heretofore commissioned, who reside within their former and newly appointed districts, whether they would accept of the alternative or not."

These sentiments, connected with an opinion expressed, or rather held forth as a menace, in his reasons for negating an act before mentioned, exhibit very alarming and dangerous tenents, proceeding from an executive, when considered along with other menaces held forth in a less conspicuous but in an equally serious form. "It is incumbent on me to speak with diffidence; a diffidence, I am persuaded,