Hezekiah Niles, "Report and Resolutions of the Hartford Convention," Niles Weekly Register, VII (1/14/1815) 305-13

NILES' WEEKLY REGISTER.

No. 20 of VOL. VII.] BALTIMORE, SATURDAY, JANUARY 14, 1815. [WHOLE NO. 176.

Hæc olim meminisse juvabit.—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at $5 *per ann*

The convention at *Hartford* rose, *sine die*, on the 4th instant. As the editor thought he could not present any thing that would so much gratify the *curiosity* of his readers, as a copy of their proceedings—many articles in type have been laid over to make room for it. There are a variety of statistical tables, published by order of the convention, which we expect to insert in our next—and some of them shall be *examined* and *elucidated* by other statistical facts, as we proceed in our essays regarding that assembly, which will be continued, as room is allowed, in several future papers.

Rates of Postage.

Postmasters will take notice, that by an act of congress passed on the 23d inst. the several rates of postage are augmented fifty per cent. and that after the first day of February next the

Rates of Postage for single letters will be:

			Cents.
For any distance not exceeding		40 miles	12
Over 40 miles and not exceeding		90 do	15
Over 90	do.	150 do	18 3-4
Over 150	do.	300 do	25 1-2
Over 300	do.	500 do	30
Over 500			37 1-2

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Over 50 and not exceeding 100 miles 2 1-4
Over 100 miles, 3

But pamphlets are not to be received or conveyed by post on the main line, or any cross road, where the mail is large.

RETURN J. MEIGS, Jr.
Post Master General.

General Post-Office, December 28, 1814.

POSTAGE OF THE REGISTER.

For the information of all concerned, we republish a letter from the late Post Master General, on the postage of the REGISTER. As his decision has never been reversed, (and, indeed, I cannot see how that it ever can be) it is binding in all cases whatsoever. The letter was in answer to one I had written to Mr. *Granger*, complaining that some post masters had charged my subscribers at the *pamphlet* rate of postage.

GENERAL POST-OFFICE,
January 13th, 1812.

Sir—Yours of the 6th is before me, as well as your former letter on the same subject. The delay of this answer has arisen partly from a multiplicity of business, and partly from a serious doubt of the legal character of your publication. But I am now satisfied and admit your publication to be a newspaper and to be rated at News-paper postage.

With esteem,
G. GRANGER.

H. NILES, *Baltimore.*

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By re-printing certain sheets of the first and second volumes of the WEEKLY REGISTER, eighty-one complete files of the work may be perfected; and they are all that can be furnished until the entire first volume, and a considerable part of the second, shall be re-printed. When this will be done, in the present state of the times, I have no idea of; as the expence will be very great. As those few copies are for sale, it is desirable to dispose of them as soon as possible, and they who wish complete files can ensure them only by immediate application. They may safely be sent to any post-office in the United States, at the expence of the purchaser for postage, at the same rate as for newspapers, *per sheet*; and the editor will guarantee their safe arrival, except at the offices in the state of *Louisiana* and in the several territories of the United States, to which, if sent, they must go at the risk of the owner.

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	22

The 7th (or first volume of the present year) finishes on the last Saturday of next month (Feb.)

"Brothers of the type," editors of newspapers, will oblige by giving the above an insertion.

☞ Letters addressed to the editor must be post-paid.

H. NILES,
Editor, Weekly Register.

Baltimore, January 15, 1814.

Hartford Convention.

The proceedings of a convention of delegates, convened at Hartford, in the state of Connecticut, December 15, 1814.

REPORT, &c.

The delegates from the legislatures of the states of Massachusetts, Connecticut, and Rhode Island, and from the counties of Grafton and Cheshire, in the state of New-Hampshire, and the county of Windham in the state of Vermont, assembled in convention, beg leave to report the following result of their conference.

The convention is deeply impressed with a sense of the commission which they were appointed to execute, of devising the means of defence against dangers, and of relief from oppressions proceeding from the acts of their own government, without violating constitutional principles, or disappointing the hopes of a suffering and injured people. To

prescribe patience and firmness to those who are already exhausted by distress, is sometimes to drive them to despair, and the progress towards reform by the regular road, is irksome to those whose imaginations discern, and whose feelings prompt to a shorter course. But when abuses reduced to system and accumulated through a course of years, have pervaded every department of government, and spread corruption through every region of the state, when these are clothed with the forms of law, and enforced by an executive whose will is their source, no summary means of relief can be applied without recourse to direct and open resistance. This experiment, even when justifiable, cannot fail to be painful to the good citizen; and the success of the effort will be no security against the danger of the example. Precedents of resistance to the worst administration are eagerly seized by those who are naturally hostile to the best. Necessity alone can sanction a resort to this measure; and it should never be extended in duration or degree beyond the exigency, until the people, not merely in the fervor of sudden excitement, but after a full deliberation, are determined to change the constitution.

It is a truth, not to be concealed, that a sentiment prevails to no inconsiderable extent, that administration have given such constructions to that instrument, and practised so many abuses under color of its authority, that the time for a change is at hand. Those who so believe, regard the evils which surround them as intrinsic and incurable defects in the constitution. They yield to a persuasion, that no change, at any time, or on any occasion, can aggravate the misery of their country.—This opinion may ultimately prove to be correct.—But as the evidence on which it rests is not yet conclusive, and as measures adopted upon the assumption of its certainty might be irrevocable, some general considerations are submitted, in the hope of reconciling all to a course of moderation and firmness, which may save them from the regret incident to sudden decisions, probably avert the evil, or at least insure consolation and success in the last resort.

The constitution of the United States, under the auspices of a wise and virtuous administration, proved itself competent to all the objects of national prosperity, comprehended in the views of its framers.

No parallel can be found in history, of a transition so rapid as that of the United States from the lowest depression to the highest felicity—from the condition of weak and disjointed republics, to that of a great, united and prosperous nation.

Although this high state of public happiness has undergone a miserable and afflicting reverse, through the prevalence of a weak and profligate policy, yet the evils and afflictions which have thus been induced upon the country, are not peculiar to any form of government. The lust and caprice of power, the corruption of patronage, the oppression of the weaker interests of the community by the stronger, heavy taxes, wasteful expenditures, and unjust and ruinous wars, are the natural offspring of bad administrations, in all ages and countries. It was indeed to be hoped, that the rulers of these states would not make such disastrous haste to involve their infancy in the embarrassments of old and rotten institutions. Yet all this have they done; and their conduct calls loudly for their dismission and disgrace. But to attempt upon every abuse of power to change the constitution, would be to perpetuate the evils of revolution.

Again, the experiment of the powers of the constitution, to regain its vigor, and of the people to recover from their delusions, has been hitherto made under the greatest possible disadvantages arising from the state of the world. The fierce passions which have convulsed the nations of Europe, have passed the ocean, and finding their way to the bosoms of our citizens, have afforded to administration the means of perverting public opinion, in respect to our foreign relations, so as to acquire its aid in the indulgence of their adherents. Further, a reformation of public opinion, resulting from dear bought experience in the southern and Atlantic states, at least, is not to be despaired of. They will have felt, that the eastern states cannot be made exclusively the victims of a capricious and impassioned policy. They will have seen that the great and essential interests of the people, are common to the south and to the east. They will realize the fatal errors of a system, which seeks revenge for commercial injuries in the sacrifice of commerce, and aggravates by needless wars, to an immeasurable extent, the injuries it professes to redress. They may discard the influence of visionary theorists, and recognize the benefits of a practical policy. Indications of this desirable revolution of opinion among our brethren in those states, are already manifested, while a hope remains of its ultimate completion, its progress should not be retarded or stopped, by exciting fears which must check these favorable tendencies and frustrate the efforts of the wisest and best men in those states, to accelerate this propitious change.

Finally, if the union be destined to dissolution, by reason of the multiplied abuses of bad administrations, it should, if possible, be the work of peaceable times, and deliberate consent. Some new form of confederacy should be substituted among those states, which shall intend to maintain a federal relation to each other. Events may prove that the causes of our calamities are deep and permanent. They may be found to proceed, not merely from the blindness of prejudice, pride of opinion, violence of party spirit, of the confusion of the times; but they may be traced to implacable combinations of individuals, or of states, to monopolize power and office, and to trample without remorse upon the rights and interests of commercial sections of the union. Whenever it shall appear that these causes are radical and permanent, a separation by equitable arrangement, will be preferable to an alliance by constraint, among nominal friends, but real enemies, inflamed by mutual hatred and jealousies, and inviting by intestine divisions, contempt and aggression from abroad. But a severance of the union by one or more states, against the will of the rest, and especially in time of war, can be justified only by absolute necessity. These are among the principal objections against precipitate measures tending to disunite the states, and when examined in connection with the farewell address of the father of his country, they must, it is believed, be deemed conclusive.

Under these impressions, the convention have proceeded to confer and deliberate upon the alarming state of public affairs, especially, as affecting the interests of the people who have appointed them for this purpose, and they are naturally led to a consideration, in the first place, of the dangers and grievances which menace an immediate or speedy pressure, with a view of suggesting means of present relief; in the next place, of such as are of a more remote and general description, in the hope of attaining future security.

Among the subjects of complaint and apprehension, which might be comprised under the former of these propositions, the attention of the convention has been occupied with the claims and pretensions advanced, and the authority exercised over the militia by the executive and legislative departments

of the national government. Also, upon the destitution of the means of defence in which the eastern states are left; while at the same time they are doomed to heavy requisitions of men and money for national objects.

The authority of the national government over the militia is derived from those clauses in the constitution which give power to congress "to provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions." Also "to provide for organizing, arming and disciplining the militia, and for governing such parts of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress." Again, "the president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, *when called into the actual service of the United States.*" In these specified cases only has the national government any power over the militia; and it follows conclusively that for all general and ordinary purposes, this power belongs to the states respectively, and to them alone. It is not only with regret, but with astonishment, the convention perceive that under color of an authority conferred with such plain and precise limitations, a power is arrogated by the executive government, and in some instances sanctioned by the two houses of congress, of control over the militia, which, if conceded, will render nugatory the rightful authority of the individual states over that class of men, and by placing at the disposal of the national government the lives and services of the great body of the people, enable it at pleasure to destroy their liberties, and erect a military despotism on the ruins.

An elaborate examination of the principles assumed for the basis of these extravagant pretensions, of the consequences to which they lead, and of the insurmountable objections to their admission, would transcend the limits of this report. A few general observations, with an exhibition of the character of these pretensions, and a recommendation of a strenuous opposition to them, must not, however, be omitted.

It will not be contended that by the terms used in the constitutional compact, the power of the national government to call out the militia, is other than a power expressly limited to three cases. One of these must exist as a condition precedent to the exercise of that power—unless the laws shall be opposed, or an insurrection shall exist, or an invasion shall be made, congress, and of consequence the president as their organ, has no more power over the militia than over the armies of a foreign nation.

But if the declaration of the president should be admitted to be an unerring test of the existence of these cases, this important power would depend, not upon the truth of the fact, but upon executive infallibility. And the limitation of the power would consequently be nothing more than merely nominal, as it might always be eluded. It follows, therefore, that the decision of the president in this particular, cannot be conclusive. It is as much the duty of the state authorities to watch over the rights *reserved*, as of the United States to exercise the powers which are *delegated*.

The arrangement of the U. States into military districts, with a small portion of the regular force under an officer of high rank of the standing army, with power to call for the militia, as circumstances in his judgment may require; and to assume the command of them, is not warranted by the constitution or any law of the United States. It is not denied that congress may delegate to the president of the United States the power to call forth the militia, in the cases which are within their jurisdiction; but he has no authority to substitute military prefects throughout the union, to use their own discretion in such instances. To station an officer of the army in a military district without troops corresponding to his rank, for the purpose of taking command of the militia that may be called into service, is a manifest evasion of that provision of the constitution which expressly reserves to the states, the appointment of the officers of the militia; and the object of detaching such officer cannot be well conceived to be any other than that of superceding the governor or other officers of the militia in their right to command.

The power of dividing the militia of the states into classess and obliging such classes to furnish by contract or draft, able bodied men, to serve for one or more years for the defence of the frontier, is not delegated to congress. If a claim to draft the militia for one year for such general object be admissible, no limitation can be assigned to it, but the discretion of those who make the law. Thus with a power in congress to authorize such a draft or conscription, and in the executive to decide conclusively upon the existence and continuance of the emergency, the whole militia may be converted into a standing army, disposable at the will of the president of the United States.

The power of compelling the militia and other citizens of the United States by a forcible draft or conscription, to serve in the regular armies, as proposed in a late official letter of the secretary of war, is not delegated to congress by the constitution, and the exercise of it would be not less dangerous to their liberties than hostile to the sovereignty of the states. The effort to deduce this power from the right of raising armies, is a flagrant attempt to pervert the sense of the clause in the constitution which confers that right, and is incompatible with other provisions in that instrument. The armies of the United States have always been raised by contract, never by conscription, and nothing more can be wanting to a government possessing the power thus claimed, to enable it to usurp the entire control of the militia, in derogation of the authority of the state, and to convert it by impressment into a standing army.

It may be here remarked, as a circumstance illustrative of the determination of the executive to establish an absolute control over all description of citizens, that the right of impressing seamen into the naval service is expressly asserted by the secretary of the navy in a late report.* Thus a practice,

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* *Extract from report of the secretary of the navy dated November 15, 1814.*

There is another branch of the service which appears to me to merit the serious deliberation of the legislature, with regard to the establishment of some regular system, by which the voluntary enlistments for the navy may derive occasional reinforcements from the services of those seamen, who, pursuing their own private occupations, are exempt, by their itinerant habits, from public service of any kind. In my view there would be nothing incompatible with the free spirit of our institutions, or with the rights of individuals, if registers, with a particular descriptive record, were kept in the several districts, of all the seamen belonging to the United States, and provision made by law for classing and calling into the public service, in succession for reasonable stated periods, such portions or classes, as the public service might require, and if any individual, so called, should be absent at the time, the

which in a foreign government has been regarded with great abhorrence by the people, finds advocates among those who have been the loudest to condemn it.

The law authorising the enlistment of minors and apprentices into the armies of the United States, without the consent of parents and guardians, is also repugnant to the spirit of the constitution. By a construction of the power to raise armies, as applied by our present rulers, not only persons capable of contracting are liable to be impressed into the army; but those who are under legal disabilities to make contracts, are to be invested with this capacity, in order to enable them to annul at pleasure contracts made in their behalf by legal guardians. Such an interference with the municipal laws and rights of the several states, could never have been contemplated by the framers of the constitution. It impairs the salutary control and influence of the parent over his child—the master over his servant—the guardian over his ward—and thus destroys the most important relations in society, so that by the conscription of the father, and the seduction of the son, the power of the executive over all the effective male population of the United States is made complete.

Such are some of the odious features of the novel system proposed by the rulers of a free country, under the limited powers derived from the constitution. What portion of them will be embraced in acts finally to be passed, it is yet impossible to determine. It is, however, sufficiently alarming to perceive, that these projects emanated from the highest authority, nor should it be forgotten, that by the plan of the secretary of war, the classification of the militia embraced the principle of direct taxation upon the white population only; and that, in the house of representatives, a motion to apportion the militia among the white population exclusively, which would have been in its operation a direct tax, was strenuously urged and supported.

In this whole series of devices and measures for raising men, this convention discern a total disregard for the constitution, and a disposition to violate its provisions, demanding from the individual states a firm and decided opposition. An iron despotism can impose no harder servitude upon the citizen, than to force him from his home and his occupation, to wage offensive wars, undertaken to gratify the pride or passions of his master. The example of France has recently shown that a cabal of individuals assuming to act in the name of the people, may transform the great body of citizens into soldiers, and deliver them over into the hands of a single tyrant. No war, not held in just abhorrence by a people, can require the aid of such stratagems to recruit an army. Had the troops already raised, and in great numbers sacrificed upon the frontier of Canada, been employed for the defence of the country, and had the millions which have been squandered with shameless profusion, been appropriated to their payment, to the protection of the coast, and to the naval service, there would have been no occasion for unconstitutional expedients. Even at this late hour, let government leave to New-England the remnant of her resources, and she is ready and able to defend her territory, and to resign the glories and advantages of the border war, to those who are determined to persist in its prosecution.

That acts of congress in violation of the constitution are absolutely void, is an undeniable position. It does not, however, consist with the respect and forbearance due from a confederate state towards the general government, to fly to open resistance upon every infraction of the constitution. The mode and the energy of the opposition, should always conform to the nature of the violation, the intention of its authors, and the extent of the injury inflicted, the determination manifested to persist in it, and the danger of delay.† But in cases of deliberate, dangerous and palpable infractions of the constitution, affecting the sovereignty of a state, and liberties of the people; it is not only the right but the duty of such a state, to interpose its authority for their protection, in the manner best calculated to secure that end. When emergencies occur, which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, states, which have no common umpire, must be their own judges, and execute their own decisions. It will thus be proper for the several states to await the ultimate disposal of the obnoxious measures recommended by the secretary of war, or pending before congress, and so to use their power according to the character these measures shall finally assume, as effectually to protect their own sovereignty, and the rights and liberties of their citizens.

The next subject which has occupied the attention of the convention, is the means of defence against the common enemy. This naturally leads to the inquiries, whether any expectation can be reasonably entertained, that adequate provision for the defence of the eastern states will be made by the

next in succession should perform the tour of duty of the absentee, who should on his return be liable to serve his original tour, and his substitute be exempt from his succeeding regular tour of duty.

†It appears from the following extract from a speech of Mr. Madison, in the debates in the Virginia convention, that he had a prophetic view of circumstances which would induce a majority of states to support Virginia against the *carrying states*. See also the speeches of Mr. Nicholas in that convention, and the *essays* in the *Federalist*, written by Mr. Madison.

Extract from debates in the Virginia convention—Richmond Ed. p. 224.

I will not sit down till I make one more observation on what fell from my honorable friend. He says, that the true difference between the states lies in this circumstance—that some are carrying states, and others productive, and that the operation of the new government will be, that there will be a plurality of the former to combine against the interest of the latter, and that consequently it will be dangerous to put it in their power to do so. I would join with him in sentiments if this were the case. Were this within the bounds of probability, I should be equally alarmed, but I think that those states which are contradistinguished as carrying states, from the non-importing states, will be but few. I suppose the southern states will be considered by all, as under the latter description. Some other states have been mentioned by an honorable member on the same side, which are not considered as carrying states. New-Jersey and Connecticut can by no means be enumerated among the carrying states. They receive their supplies through New-York. Here then is a plurality of non-importing states. I could add another if necessary. Delaware, though situated upon the water, is upon the list of non-carrying states. I might say that a great part of New-Hampshire is so. I believe that a majority of the people of that state receive their supplies from Massachusetts, Rhode Island and Connecticut. Might I not add all those states which will be hereafter admitted into the union? These will be non-carrying states, and will support Virginia in case the carrying states will attempt to combine against the rest.

national government? Whether the several states can, from their own resources, provide for self-defence and fulfil the requisitions which are to be expected for the national treasury? and, generally, what course of conduct ought to be adopted by those states, in relation to the great object of defence?

Without pausing at present to comment upon the causes of the war, it may be assumed as a truth, officially announced, that to achieve the conquest of Canadian territory, and to hold it as a pledge for peace, is the deliberate purpose of administration. This enterprize, commenced at a period when government possessed the advantage of selecting the time and occasion for making a sudden descent upon an unprepared enemy, now languishes in the third year of the war. It has been prosecuted with various fortune, and occasional brilliancy of exploit, but without any solid acquisition. The British armies have been recruited by veteran regiments. Their navy commands Ontario. The American ranks are thinned by the casualties of war. Recruits are discouraged by the unpopular character of the contest, and by the uncertainty of receiving their pay.

In the prosecution of this favorite warfare, administration have left the exposed and vulnerable parts of the country destitute of all efficient means of defence. The main body of the regular army has been marched to the frontier. The navy has been stripped of a great part of its sailors for the service of the lakes. Meanwhile the enemy scours the sea-coast, blockades our ports, ascends our bays and rivers, makes actual descent in various and distant places, holds some by force, and threatens all that are assailable, with fire and sword. The sea-board of four of the New-England states, following its curvatures, presents an extent of more than seven hundred miles, generally occupied by a compact population, and accessible by a naval force, exposing a mass of people and property to the devastation of the enemy, which bears a great proportion of the residue of the maritime frontier of the United States. This extensive shore has been exposed to frequent attacks, repeated contributions and constant alarms. The regular forces detached by the national government for its defence, are mere pretexts for placing officers of high rank in command. They are besides confined to a few places, and are too insignificant in number to be included in any computation.

These states have thus been left to adopt measures for their own defence. The militia have been constantly kept on the alert, and harrassed by garrison duties, and other hardships, while the expenses, of which the national government decline the reimbursement, threatened to absorb all the resources of the states. The president of the United States has refused to consider the expense of the militia detached by the state authority, for the indispensable defence of the state, as chargeable to the Union, on the ground of a refusal by the executive of the state, to place them under the command of officers of the regular army. Detachments of militia placed at the disposal of the general government, have been dismissed either without pay, or with depreciated paper. The prospect of the ensuing campaign is not enlivened by the promise of any alleviation of these grievances. From authentic documents, extorted by necessity from those whose inclination might lead them to conceal the embarrassments of the government, it is apparent that the treasury is bankrupt, and its credit prostrate. So deplorable is the state of the finances, that those who feel for the honor and safety of the country, would be willing to conceal the melancholy spectacle, if those whose infatuation has produced this state of fiscal concerns had not found themselves compelled to unveil it to public view.

If the war be continued, there appears no room for reliance upon the national government for the supply of those means of defence, which must become indispensable to secure these states from desolation and ruin. Nor is it possible that the states can discharge this sacred duty from their own resources, and continue to sustain the burden of the national taxes. The administration, after a long perseverance in plans to baffle every effort of commercial enterprize, had fatally succeeded in their attempts at the epoch of the war. Commerce, the vital spring of New England's prosperity, was annihilated. Embargoes, restrictions, and the rapacity of revenue officers, had completed its destruction. The various objects for the employment of productive labor, in the branches of business dependent on commerce, have disappeared. The fisheries have shared its fate. Manufactures, which government has professed an intention to favor and to cherish, as an indemnity for the failure of these branches of business, are doomed to struggle in their infancy with taxes and obstructions, which cannot fail most seriously to affect their growth. The specie is withdrawn from circulation. The landed interest, the last to feel these burdens, must prepare to become their principal support, as all other sources of revenue must be exhausted. Under these circumstances, taxes of a description and amount unprecedented in this country, are in a train of imposition, the burden of which must fall with the heaviest pressure upon the states east of the Potomac. The amount of these taxes for the ensuing year, cannot be estimated at less than five millions of dollars upon the New England states, and the expenses of the last year for defence in Massachusetts alone, approaches to one million of dollars.

From these facts, it is almost superfluous to state the irresistable inference that these states have no capacity of defraying the expense requisite for their own protection, and, at the same time, of discharging the demands of the national treasury.

The last inquiry, what course of conduct ought to be adopted by the aggrieved states, is in a high degree momentous. When a great and brave people shall feel themselves deserted by their government, and reduced to the necessity either of submission to a foreign enemy, or of appropriating to their own use, those means of defence which are indispensable to self preservation, they cannot consent to wait passive spectators of approaching ruin, which it is in their power to avert, and to resign the last remnant of their industrious earnings, to be dissipated in support of measures destructive of the best interests of the nation.

This convention will not trust themselves to express their conviction of the catastrophe to which such a state of things inevitably tends.—Conscious of their high responsibility to God and their country, solicitous for the continuance of the Union, as well as the sovereignty of the states, unwilling to furnish obstacles to peace—resolute never to submit to a foreign enemy, and confiding in the Divine care and protection, they will, until the last hope shall be extinguished, endeavor to avert such consequences.

With this view they suggest an arrangement, which may at once be consistent with the honor and interest of the national government, and the security of these states. This it will not be difficult to conclude, if that government should be so disposed. By the terms of it these states might be allowed to assume their own defence, by the militia or other

troops. A reasonable portion also, of the taxes raised in each state might be paid into its treasury, and credited to the United States, but to be appropriated to the defence of such state, to be accounted for with the United States. No doubt is entertained that by such an arrangement, this portion of the country could be defended with greater effect, and in a mode more consistent with economy, and the public convenience, than any which has been practised.

Should an application for these purposes, made to congress by the state legislatures, be attended with success, and should peace upon just terms appear to be unattainable, the people would stand together for the common defence, until a change of administration, or of disposition in the enemy, should facilitate the occurrence of that auspicious event. It would be inexpedient for this convention to diminish the hope of a successful issue to such an application, by recommending upon supposition of a contrary event, ulterior proceedings.—Nor is it indeed within their province. In a state of things so solemn and trying as may then arise, the legislatures of the states, or conventions of the whole people, or delegates appointed by them for the express purpose in another convention, must act as such urgent circumstances may then require.

But the duty incumbent on this convention will not have been performed without exhibiting some general view of such measures as they may deem essential to secure the nation against a relapse into difficulties and dangers, should they by the blessings of Providence escape from their present condition without absolute ruin. To this end a concise retrospect of the state of this nation under the advantages of a wise administration, contrasted with the miserable abyss into which it is plunged by the profligacy and folly of political theorists, will lead to some practical conclusions. On this subject, it will be recollected, that the immediate influence of the federal constitution upon its first adoption, and for twelve succeeding years, upon the prosperity and happiness of the nation, seemed to countenance a belief in the transcendency of perfection over all other human institutions. In the catalogue of blessings which have fallen to the lot of most favored nations, none could be enumerated from which our country was excluded—A free constitution, administered by great and incorruptible statesmen, realized the fondest hopes of liberty and independence—The progress of agriculture was stimulated by the certainty of value in the harvest—and commerce, after traversing every sea, returned with the riches of every clime. A revenue, secured by a sense of honor, collected without oppression, and paid without murmurs, melted away the national debt, and the chief concern of the public creditor arose from its too rapid diminution. The wars and commotions of the European nations, and the interuptions of their commercial intercourse afforded to those who had not promoted, but who would have rejoiced to alleviate their calamities, a fair and golden opportunity, by enriching themselves to lay a broad foundation for national wealth.

Although occasional vexations to commerce, arose from the furious collisions of the powers at war, yet the great and good men of that time conformed to the force of circumstances which they could not control, and preserved their country in security from the tempests which overwhelmed the old world, and threw the wreck of their fortunes on these shores. Respect abroad, prosperity at home, wise laws made by honored legislators, and prompt obedience yielded by a contented people, had silenced the enemies of republican institutions. The arts flourished—the sciences were cultivated—the comforts and convenience of life were universally diffused—and nothing remained for succeeding administrations, but to reap the advantages, and cherish the resources, flowing from the policy of their predecessors.

But no sooner was a new administration established in the hands of the party opposed to the Washington policy, than a fixed determination was perceived and avowed of changing a system which had already produced these substantial fruits. The consequence of this change, for a few years after its commencement, were not sufficient to counteract the prodigious impulse towards prosperity, which had been given to the nation. But a steady perseverance in the new plans of administration, at length developed their weakness and deformity, but not until a majority of the people had been deceived by flattery, and inflamed by passion, into blindness to their defects. Under the withering influence of this new system, the declention of the nation has been uniform and rapid. The richest advantages for securing the great objects of the constitution have been wontonly rejected. While Europe reposes from the convulsions that had shaken down her ancient institutions, she beholds with amazement this remote country, once so happy and so envied, involved in a ruinous war, and excluded from intercourse with the rest of the world.

To investigate and explain the means whereby this fatal reverse has been effected, would require a voluminous discussion. Nothing more can be attempted in this report, than a general allusion to the principal outlines of the policy which has produced this vicissitude. Among these may be enumerated:

First. A deliberate and extensive system for effecting a combination among certain states, by exciting local jealousies and ambition, so as to secure to popular leaders in one section of the union, the control of public affairs in perpetual succession.—To which primary object most other characteristics of the system may be reconciled.

Secondly. The political intolerance displayed and avowed, in excluding from office men of unexceptionable merit, for want of adherence to the executive creed.

Thirdly. The infraction of the judiciary authority and rights, by depriving judges of their offices in violation of the constitution.

Fourthly. The abolition of existing taxes, requisite to prepare the country for those changes to which nations are always exposed, with a view to the acquisition of popular favor.

Fifthly. The influence of patronage in the distribution of offices, which in these states has been almost invariably made among men the least entitled to such distinction, and who have sold themselves as ready instruments for distracting public opinion, and encouraging administration to hold in contempt the wishes and remonstrances of a people thus apparently divided.

Sixthly. The admission of new states into the union, formed at pleasure in the western region, has destroyed the balance of power which existed among the original states, and deeply affected their interest.

Seventhly. The easy admission of naturalized foreigners, to places of trust, honor or profit, operating as an inducement to the malcontent subjects of the old world to come to these states, in quest of executive patronage, and to repay it by an abject devotion to executive measures.

Eighthly. Hostility to Great Britain, and partially to the late government of France, adopted as coincident with popular prejudice, and subservient to the main object, party power. Connected with these

must be ranked erroneous and distorted estimates of the power and resources of those nations, of the probable result of their controversies, and of our political relation to them respectively.

Lastly and principally. A visionary and superficial theory, in regard to commerce, accompanied by a real hatred but a feigned regard to its interests, and a ruinous perseverance in efforts to render it an instrument of coercion and war.

But it is not conceivable that the obloquy of any administration could, in so short a period, have so nearly consummated the work of national ruin, unless favored by defects in the constitution.

To enumerate all the improvements of which that instrument is susceptible, and to propose such amendments as might render it in all respects perfect, would be a task, which this convention has not thought proper to assume. They have confined their attention to such as experience has demonstrated to be essential, and even among these, some are considered entitled to more serious attention than others. They are suggested without any intentional disrespect to other states, and are meant to be such as all shall find an interest in promoting. Their object is to strengthen, and as possible to perpetuate, the union of the states, by removing the grounds of existing jealousies, and providing for a fair and equal representation, and a limitation of powers, which have been misused.

The first amendment proposed, relates to the apportionment of representatives among the slave-holding states. This cannot be claimed as a right. Those states are entitled to the slave-representation by a constitutional compact. It is therefore merely a subject of agreement, which should be conducted upon principles of mutual interest and accommodation, and upon which no sensibility on either side should be permitted to exist. It has proved unjust and unequal in its operation. Had this fact been foreseen, the privilege would probably not have been demanded; certainly not conceded. Its tendency in future will be adverse to that harmony and mutual confidence, which are more conducive to the happiness and prosperity of every confederated state, than a mere preponderance of power, the prolific source of jealousies and controversy, can be to any one of them. The time may therefore arrive when a sense of magnanimity and justice will reconcile those states to acquiesce in a revision of this article, especially as a fair equivalent would result to them in the apportionment of taxes.

The next amendment relates to the admission of new states into the union.

This amendment is deemed to be highly important, and in fact indispensable. In proposing it, it is not intended to recognize the right of congress to admit new states without the original limits of the United States, nor is any idea entertained of disturbing the tranquility of any state already admitted into the union. The object is merely to restrain the constitutional power of congress in admitting new states. At the adoption of the constitution, a certain balance of power among the original parties was considered to exist, and there was at that time, and yet is among those parties a strong affinity between their great and general interests. By the admission of these states that balance has been materially affected, and unless the practice be modified, must ultimately be destroyed. The southern states will first avail themselves of their new confederates to govern the east, and finally the western states multiplied in number, and augmented in population, will control the interests of the whole. Thus for the sake of present power, the southern states will be common sufferers with the east, in the loss of permanent advantages. None of the old states can find an interest in creating prematurely an overwhelming western influence, which may hereafter discern (as it has heretofore) benefits to be derived to them by wars and commercial restrictions.

The next amendment proposed by the convention, relates to the powers of congress, in relation to embargo and the interdiction of commerce.

Whatever theories upon the subject of commerce, have hitherto divided the opinions of statesmen, experience has at last shown that it is a vital interest in the United States, and that its success is essential to the encouragement of agriculture and manufactures, and to the wealth, finances, defence and liberty of the nation. Its welfare can never interfere with the other great interests of the states, but must promote and uphold them. Still those who are immediately concerned in the prosecution of commerce, will of necessity be always a minority of the nation. They are, however, best qualified to manage and direct its course by the advantages of experience, and the sense of interest. But they are entirely unable to protect themselves against the sudden and injudicious decisions of bare majorities, and the mistaken or oppressive projects of those who are not actively concerned in its pursuits. Of consequence, this interest is always exposed to be harrassed, interrupted, and entirely destroyed, upon pretence of securing other interest. Had the merchants of this nation been permitted, by their own government, to pursue an innocent and lawful commerce, how different would have been the state of the treasury and of public credit! How short-sighted and miserable is the policy which has annihilated this order of men, and doomed their ships to rot in the docks, their capital to waste unemployed, and their affections to be alienated from the government which was formed to protect them? What security for an ample and unfailing revenue can ever be had, comparable to that which once was realized in good faith, punctuality and sense of honor, which attached the mercantile class to the interests of the government! Without commerce, where can be found the aliment for a navy; and without a navy, what is to constitute the defence, and ornament, and glory of this nation! No union can be durably cemented, in which every great interest does not find itself reasonably secured against the encroachment and combinations of other interests. When, therefore, the past system of embargoes and commercial restrictions shall have been reviewed—when the fluctuation and inconsistency of public measures, betraying a want of information as well as feeling in the majority, shall have been considered, the reasonableness of some restrictions upon the power of a bare majority to repeat these oppressions, will appear to be obvious.

The next amendment proposes to restrict the power of making offensive war. In the consideration of this amendment, it is not necessary to inquire into the justice of the present war. But one sentiment now exists in relation to the expediency, and regret for its declaration is nearly universal. No indemnity can ever be attained for this terrible calamity, and its only palliation must be found in obstacles to its future recurrence. Rarely can the state of this country call for or justify offensive war. The genius of our institutions is unfavorable to its successful prosecution; the facility of our situation exempts us from its necessity.—In this case, as in the former, those more immediately exposed to its effects are a minority of the nation. The commercial towns, the shores of our seas and rivers, contain the population, whose vital interests are most vulnerable by a foreign enemy. Agricul-

ture, indeed, must feel at last; but this appeal to its sensibility comes too late. Again, the immense population which has swarmed into the west, remote from immediate danger, and which is constantly augmenting, will not be averse from the occasional disturbances of the Atlantic states. Thus interest may not frequently combine with passion and intrigue, to plunge the nation into needless wars, and compel it to become a military rather than a happy and flourishing people. These considerations which it would be easy to augment, call loudly for the limitation proposed in the amendment.

Another amendment, subordinate in importance, but still in a high degree expedient relates to the exclusion of foreigners, hereafter arriving in the United States from the capacity of holding offices of trust, honor, or profit.

That the stock of population already in these states, is amply sufficient to render this nation in due time sufficiently great and powerful, is not a controvertible question—Nor will it be seriously pretended, that the national deficiency in wisdom, arts, science, arms, or virtue, needs to be replenished from foreign countries. Still, it is agreed, that a liberal policy should offer the rights of hospitality, and the choice of settlement, to those who are disposed to visit the country.—But why admit to a participation in the government, aliens who were no parties in the compact—who are ignorant of the nature of our institutions, and have no stake in the welfare of the country, but what is recent and transitory? It is surely a privilege sufficient to admit them after due probation to become citizens, for all but political purposes—To extend it beyond these limits, is to encourage foreigners to come to these states as candidates for preferment. The convention forbear to express their opinion upon the inauspicious effects which have already resulted to the honor and peace of this nation, from this misplaced and indiscriminate liberality.

The last amendment respects the limitation of the office of president, to a single constitutional term, and his eligibility from the same state two terms in succession.

Upon this topic it it superfluous to dilate. The love of power is a principle in the human heart which too often impels to the use of all practicable means to prolong its duration. The office of president has charms and attractions which operate as powerful incentives to this passion. The first and most natural exertion of vast patronage is directed towards the security of a new election. The interest of the country, the welfare of the people, even honest fame and respect for the opinion of posterity are secondary considerations. All the engines of intrigue; all the means of corruption, are likely to be employed for this object. A president whose political career is limitted to a single election, may find no other interest than will be promoted by making it glorious to himself and beneficial to his country. But the hope of re-election is prolific of temptations, under which these magnanimous motives are deprived of their principal force. The repeated election of president of the United States from any one state, affords inducements and means for intrigue, which tend to create an undue local influence, and establish the domination of particular states. The justice therefore, of securing to every state a fair and equal chance for the election of this officer from its own citizens is apparent, and this object will be essentially promoted by preventing an election from the same state twice in succession.

Such is the general view which this convention has thought proper to submit, of the situation of these states, of their dangers and their duties. Most of the subjects which it embraces have separately received an ample and luminous investigation, by the great and able assertors of the rights of their country, in the national legislature; and nothing more could be attemped on this occasion, than a digest of general principles, and of recommendations, suited to the present state of public affairs. The peculiar difficulty and delicacy of performing, even this undertaking, will be appreciated by all who think seriously upon the crisis. Negociations for peace, are at this hour supposed to be pending, the issue of which must be deeply interesting to all. No measures should be adopted, which might unfavorably affect that issue; none which should embarrass the administration, if their professed desire for peace is sincere; and none, which on supposition of their sincerity, should afford them pretexts for prolonging the war, or relieving themselves from the responsibility of a dishonorable peace. It is also devoutly to be wished, that an occasion may be afforded to all friends of the country, of all parties, and in all places, to pause and consider the awful state to which pernicious counsels, and blind passions, have brought this people. The number of those who perceive, and who are ready to retrace errors, must it is believed be yet sufficient to redeem the nation. It is necessary to rally and unite them by the assurance that no hostility to the constitution is meditated, and to obtain their aid in placing it under guardians, who alone can save it from destruction. Should this fortunate change be effected, the hope of happiness and honor may once more dispel the surrounding gloom. Our nation may yet be great, our union durable. But should this prospect be utterly hopeles, the time will not have been lost, which shall have ripened a general sentiment of the necessity of more mighty efforts to rescue from ruin, at least some portion of our beloved country.

THEREFORE BE IT——

Resolved, That it be and hereby is recommended to the legislatures of the several states represented in this convention, to adopt all such measures as may be necessary effectually to protect the citizens of said states from the operation and effects of all acts which have been or may be passed by the congress of the United States, which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions or impressments not authorised by the constitution of the United States.

Resolved, That it be and is hereby recommended to the said legislatures, to authorize an immediate and earnest application to be made to the government of the United States, requesting their consent to some arrangement, whereby the said states may, separately or in concert, be empowered to assume upon themselves the defence of their territory against the enemy; and a reasonable portion of the taxes, collected within said states, may be paid into the respective treasuries thereof, and appropriated to the payment of the balance due said states, and to the future defence of the same. The amount so paid into the said treasuries to be credited, and the disbursements made as aforesaid to be charged to the United States.

Resolved, That it be and hereby is recommended to the legislatures of the aforesaid states, to pass laws (where it has not already been done) authorising the governors or commanders in chief of their militia to make detachments from the same, or to form voluntary corps, as shall be most convenient and conformable to their constitutions, and to cause the same to be well armed, equipped, disciplined, and held in readiness for service; and upon the request of the governor of either of the other states, to employ the whole of such detachment or corps as

well as the regular forces of the state, or such part thereof as may be required and can be spared consistently with the safety of the state, in assisting the state making such request to repel any invasion thereof, which shall be made or attempted by the public enemy.

Resolved, That the following amendments of the constitution of the United States, be recommended to the states represented as aforesaid, to be proposed by them for adoption by the state legislatures, and in such cases as may be deemed expedient, by a convention chosen by the people of each state.

And it is further recommended, that the said states shall persevere in their efforts to obtain such amendments, until the same shall be effected.

First. Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers of free persons, including those bound to serve for a term of years, and excluding Indians not taxed and all other persons.

Second. No new state shall be admitted into the union by congress, in virtue of the power granted by the constitution, without the concurrence of two thirds of both houses.

Third. Congress shall not have power to lay an embargo, on the ships or vessels of the citizens of the United States, in the ports or harbors thereof, for more than sixty days.

Fourth. Congress shall not have power, without the concurrence of two-thirds of both houses, to interdict the commercial intercourse between the United States and any foreign nation or the dependencies thereof.

Fifth. Congress shall not make nor declare war, or authorize acts of hostility against any foreign nation without the concurrence of two thirds of both houses, except such acts of hostility be in defence of the territories of the United States when actually invaded.

Sixth. No person who shall hereafter be naturalized, shall be eligible as a member of the senate or house of representatives of the United States, nor capable of holding any civil office under the authority of the United States.

Seventh. The same person shall not be elected president of the United States a second time; nor shall the president be elected from the same state two terms in succession.

Resolved, That if the application of these states to the government of the United States, recommended in a foregoing resolution, should be unsuccessful, and peace should not be concluded, and the defence of these states should be neglected, as it has been since the commencement of the war, it will, in the opinion of this convention, be expedient for the legislatures of the several states to appoint delegates to another convention, to meet at Boston in the state of Massachusetts, on the third Thursday of June next, with such powers and instructions as the exigency of a crisis so momentous may require.

Resolved, That the hon. George Cabot, the hon. Chauncey Goodrich, and the hon. Daniel Lyman, or any two of them, be authorized to call another meeting of this convention, to be holden in Boston, at any time before new delegates shall be chosen, as recommended in the above resolution, if in their judgment the situation of the country shall urgently require it.

HARTFORD, January 4th, 1814.

George Cabot,	James Hillhouse,
Nathan Dane,	John Treadwell,
William Prescott,	Zephania Swift,
Harrison G. Otis,	Nathaniel Smith,
Timothy Bigelow,	Calvin Goddard,
Joshua Thomas,	Roger M. Sherman,
Samuel S. Wilde,	Daniel Lyman,
Joseph Lyman,	Samuel Ward,
Stephen Longfellow, jr.	Edward Manton,
Daniel Waldo,	Benjamin Hazard,
Hodijah Baylies,	Benjamin West,
George Bliss,	Mills Olcott,
Chauncey Goodrich,	William Hall, jr.

Proceedings of Congress.

IN SENATE.

Thursday, January 5. The direct tax bill was passed without amendment, by the following vote:

AEAS—Messrs. Anderson, Bibb, Bledsoe, Brown, Chase, Condit, Daggett, Fromentin, Gaillard, German, Giles, Hunter, Kerr, King, Lacock, Morrow, Roberts, Smith, Tait, Taylor, Turner, Walker, Wharton—23.

NAYS.—Messrs. Dana, Gore, Horsey, Lambert, Mason, Varnum, Wells.—7.

The senate agreed to a conference with the house on the disagreeing votes of the two houses on the furniture tax bill; and asked a conference of the house on the disagreeing votes on the manufacture tax bill; of which Messrs. Taylor, Bledsoe and Dagget were appointed managers.

The bill supplementary to the act for settling the Yazoo claims, was ordered to be engrossed for a third reading, [and passed the next day.]

Mr. *Bledsoe* submitted for consideration a motion "that the committee on naval affairs be instructed to enquire into the expediency of establishing a naval school—[agreed to next day.]

Friday, Jan. 6. Mr. Lacock, from the committee on the subject, reported a bill making an appropriation for repairing and rebuilding the public buildings within the city of Washington; which was read and passed to a second reading.

The bill from the house to authorize the president of the United States to accept the services of certain volunteer corps, having been so amended, as to authorize the acceptance into service of state corps, and otherwise essentially changed in its provisions, was ordered to a third reading, *by an unanimous vote.*

The bill from the house to provide for the widows and orphans of militia and volunteers, who shall die or be killed in the service of the United States, was further considered, and, on motion of Mr. Varnum, postponed to the second Monday in March next.

Saturday, Jan. 7. The bill to authorize the acceptance of the state troops and volunteers was passed.

Mr. Taylor from the committee of conferences on the disagreeing votes of the two houses, on the bill for taxing household furniture, &c. made a report thereon: which being under consideration—

Mr. Giles moved that the further proceedings on said bill be postponed to the second Monday in March next—(In other words, *rejected.*)

The question on which motion was decided as follows:

YEAS.—Messrs. Daggett, Dana, Giles, Gore, Hunter, Mason, Smith, Wells.—8.

NAYS.—Messrs. Anderson, Bibb, Bledsoe, Brown, Chase, Condit, Fromentin, Gaillard, German, Lacock, Lambert, Morrow, Roberts, Robinson, Tait, Taylor, Thompson, Turner, Varnum, Walker, Wharton.—21.

The report was then agreed to, and, having been before agreed to by the house, the bill wants only the signature of the president to become a law.

The bill to authorize the president of the United States, to cause to built, equipped and employed, one or more floating batteries, for the defence of the waters of the United States, was further considered, and ordered to be engrossed for a third reading, [and passed next day.]