

THE OBJECTIONS TO THE TREATY REFUTED.

Mr. RUSSELL.

THE Constitution of the United States empowers the President, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senate concur.

In pursuance of a power thus vested, the Senate of the United States did consent to and advise the President of the United States, to ratify the treaty of amity, commerce and navigation, between his Britannic majesty and the United States of America, concluded at London, the 19th of November, A. D. 1794; on condition, that there be added to said treaty an article, whereby it shall be agreed to suspend the operation of so much of the 12th article, as respects the trade which his said majesty thereby consents may be carried on between the United States and his islands in the West Indies, in the manner, and on the terms and conditions, therein prescribed.

A copy of this treaty was sent by Mr. Mason, one of the Senators from Virginia, to the editor of the Aurora in Philadelphia, that it might be published.

On Tuesday, the 7th of July, the editors of the Chronicle advertised in the Mercury, that a copy of the treaty before referred to, was brought by express from Philadelphia, and was for sale at their office, and at Larkju's Book Store, in Cornhill.

On the 8th July, a notification, issued by order of the Selectmen of Boston, notifying the inhabitants to meet on the 10th, agreeable to the request of a number of inhabitants, to take into their most serious consideration, such measures as might be deemed expedient, relative to the treaty pending between the United States and Great-Britain.

On the 9th July, the editors of the Chronicle published in their paper the eight first articles of the treaty.

The foregoing was the only publication of the treaty, prior to the meeting of the inhabitants on the 10th, except a publication of its supposed contents, by some one who had read it, and which, on comparison with Mr. Mason's copy, appears to be incorrect.

On the 10th, the inhabitants met in Faneuil Hall, where 1500 of the citizens, without reading the treaty there, voted their disapprobation, and not one appeared in favor of it.

A committee of fifteen was appointed "to report the reasons in writing, which led to the disapprobation of the treaty."

On the Monday following, being the 13th, the committee reported the objections of the town, before the reading of which, the treaty was read.—The objections were then accepted by the town, without one dissenting voice; and a vote passed, directing their immediate transmission to the President of the United States, and expressing "their earnest hope and confident reliance, that the reasons assigned would have their influence to withhold his assent to the ratification of this alarming instrument."

On the 24th, the merits of the proposed treaty were discussed, with all the advantages that could be derived to this discussion, from examining documents that shew the real state of our commerce; the relation of this country to others; the grounds of our complaints against the British, with their answers; the grounds of complaint the British had against this country; with the answers of America. On the 24th, the Senate advised the President to ratify the treaty, in manner and on the conditions specified in the first part of this paper.

A concurrence of two thirds of the number present was necessary to constitute a vote of the Senate on this subject; and it is understood that this majority included all the Senators from New-England, (except Mr. Langdon, of Portsmouth, and Mr. Robinson of Vermont) one Senator from New-York, all from New-Jersey, Pennsylvania, Delaware and Maryland, one from Kentucky, one from South-Carolina, and one from Georgia—Virginia and North-Carolina were the only States in the Union, whose Senators were unanimous against its ratification.

Unless the present conduct of these Senators, in advising the President to ratify the treaty, has deprived them of the confidence of their fellow-citizens; it may be truly said, that as individual members of the community, none stand higher in the public estimation, as men of pure morals, sound understanding, industrious and steady attention to those duties, with which they have been intrusted. Their conduct as public men, has been tried and known in times the most critical and dangerous; and has received the just tribute of applause, from a grateful country, for having preserved it from the distresses of anarchy and war.

Duty to ourselves demands that we should respect the legal and constitutional doings of those we have appointed to administer our public affairs; at least so far as not to declare to the world, "That their acts are highly injurious to the commercial interests of the United States, derogatory to the national honour and independence, and may be dangerous to the peace and happiness of their citizens;"—without the most careful investigation of the subject, and without the most substantial reasons in support of charges which so deeply wound the honour of the government, and the character of those who have constitutionally done the act, thus boldly accused.

Men who love their country will endeavour to support its government, at least will refrain from grossly criminating its conduct until they have been convinced that no good reasons can be offered, for that which to them may at first appear doubtful. Such men ought not instantly to enlist under the banners of its avowed opponents, nor hastily surrender their judgments to those who have uniformly calumniated all those acts, which time and experience have sanctioned, as wise and productive of greater prosperity than is enjoyed in any other country. Men who know the value of character, from a just regard of their own; who have sensibly duty to appreciate the worth of public fame,

will be cautious how they attempt to inflict a wound on the reputation of others, which, if aimed at themselves, would produce the most painful sensations.

The town of Boston has given its reasons for assertions which have so deeply wounded the honour of the government; and which assertions, if true, must extremely weaken the confidence of the people in the superiority of their own constitution.

Permit, therefore, Mr. Russell, a fellow citizen, thro' the medium of your paper, to examine the solidity of their reasons, in proof that this declaration, that "the treaty if ratified will be highly injurious to the commercial interests of the United States, derogatory to their national honour and independence, and may be dangerous to the peace and happiness of their citizens."

The first is, "That compact (meaning the treaty) professes to have no reference to the merits of the complaints and pretensions of the contracting parties; but in reality the complaints and pretensions of Great-Britain are fully provided for, while a part only of those of the United States have been brought into consideration."

The words of the treaty are, that "the parties being desirous, by a treaty of amity, commerce and navigation to terminate their differences, in such a manner, as (without reference to the merits of their respective complaints and pretensions) may be the best calculated to produce mutual satisfaction and good understanding." The words of the treaty are copied here, that by comparing them with the first reason of the town, the public may judge of their true import, and not be induced to believe, that the two nations met together, with the design of terminating their differences, and at the same time, disregarding the real subjects of controversy.

The great charge in this reason is, that the complaints and pretensions of Great-Britain are fully provided for, while a part only of those of the United States have been brought into consideration.

It is to be presumed, that the committee meant here, that the minister on the part of America, never brought into consideration all the complaints and pretensions of his country. Because if brought into consideration, and proved to be unfounded, or for any reason waved, it could not be expected that such consideration, or the reasons which refuted the complaints, should appear in the treaty; it would be useless and unprecedented.

That the American minister did not bring them into consideration, is an assumption of a fact by the committee, for which they have not given any evidence.

If the correspondence and arguments used by the minister who negotiated the treaty, were before the town, or the committee; or if they had such information of their doings as could be relied on, it would probably have been stated. Candor requires that before a charge of gross neglect is believed against any man, some evidence should be adduced to support the charge.

That every complaint and pretension of the United States was duly made and enforced by the American minister, is to be proved by him. It may also be inferred from the following considerations:

The President of the United States undoubtedly gave him instructions on this head. The report made of the negotiation, would shew whether any thing was neglected on the part of the United States. This report was probably before the Senate.

It is not presumable, that the President would accept the report of his minister as satisfactory, or consider the negotiation as completed, unless every matter of importance was brought into consideration; or that the Senate would recommend to the President, to ratify a treaty that was to terminate all differences, where it appeared to them that the complaints of our own country were not brought into consideration. Further, it is not probable, that the minority of the Senate, who had before them the whole negotiation, would have neglected to state this, if it had existed, as a reason for rejecting the treaty; whereas, in the communication made by Mr. Mason, no such charge appears, nor in the motions of Mr. Tazewell and Mr. Burr. It may, therefore, fairly be inferred, until the town or its committee please to give some evidence to the contrary, that every complaint and pretension of the United States, was brought into consideration.

"The second reason is, because in the stipulation which surrenders our posts on the Western Frontiers, no provision is made to indemnify the United States, for the commercial, and other losses they have sustained, and the heavy expences to which they have been subjected, in consequence of being kept out of possession for twelve years, in direct violation of the treaty of peace?"

In this reason, the town must intend that no treaty should be acceded to, unless the British nation would first agree to indemnify the United States for all losses, that arose from our not being in possession of the posts the last twelve years.

This would be on the part of Great Britain to acknowledge that the execution of the treaty of 1783, was entirely her fault.—This is probably a matter she would dispute, and we are in candor obliged to acknowledge, that the 4th article of that treaty which relates to payment of debts, was opposed by some of the States very soon after, if not before the definitive treaty was signed, and that it continued unexecuted in some of the Southern States, until the Federal government was established. If she can justly impute the first breach to the United States, our claim of indemnity, for her violation, must be doubtful. But supposing it otherwise, and that it be clear to us, that she retained the posts wrongfully, and without any just provocation on our part.—Is it probable that she would so humiliate herself, as to confess she was the only party who had acted wrong, and avow herself the author or cause of all the calamities which have, or which we suppose have been derived from the execution of the treaty, and now submit to pay all the damages that had arisen therefrom?

In the various wars, that have taken place for the wrongful detention of territories; few, if any, are

the instances, that the vanquished nation has paid for the injuries and losses that have arisen from such detention.

The most that is commonly attained, is a restoration of such territory. Independent nations, owning no superior, qualified to judge of their conduct, will seldom acknowledge they have done wrong, especially when possessed of power to support their own cause. It is wise both in a Minister, and a nation, to refrain from insisting on points, which would only produce crimination, and reprimination, without advancing the great objects of their negotiation. Let the candid consider, if it is probable, that any reasoning they could suggest, would have induced Great Britain, to accede to such a stipulation as this objection supposes.

If not, would it be wise in us to refuse the posts, and still suffer the evils we feel from being deprived of them—or attempt to gain them by force? If successful in this latter mode, is it probable, that at the end of a war, we could induce Britain to pay us the losses suffered by the twelve years detention, added to the duration of hostilities; and the further expences of a war undertaken to regain them? There are few men who will say such an event can be calculated on.—If then it is not probable that Great Britain could be induced by arguments to accede to this stipulation, nor that we could have attained it by war, it must certainly be considered wise in the minister to accept the posts, and in the Senate to advise to the ratification of the treaty, notwithstanding she did not stipulate to pay the losses consequent on her detention of them.—It ought also to be remarked, that altho much has been said about making a demand of the posts, nothing has been intimated in public, that a demand should be made for damages, for not relinquishing them before; much less that we should refuse to receive them, unless we could be paid for such damages, or that we would attempt to gain such damages by war; especially when it had never been hinted, that the United States would hazard a war even to gain the posts.

Philadelphia, August 15.

Some persons, says a Correspondent, pretend to believe in Richard Brothers, who, it is well known, believe in nothing else.

A new Prophet asserts that the Whore of Babylon means the Jacobins; that the four Beasts are the four \* American Printers devoted to their cause; and that the ten Horns are the ten dissenting Senators to the Treaty of Peace with Great Britain.

\* G—, B—, F—, and A. & L.

A writer in Mr. Davis's paper of the 5th instant, in giving an account of the Anti Treaty Meeting in Richmond says, that in consequence of the harangues of the Speakers—the meeting was so thinned by the moving off of the people, that on counting Nones before the question on the Resolutions was put, there were "not above eighty present to vote, and most of them not Freeholders."

Copy of a Letter from a gentleman in Lancaster to his friend in Philadelphia.

"Dear Friend,  
"I THANK you for the last Pamphlet you sent me, but I want words to express my obligation to the worthy senator of Virginia, who midwifed the subject from the womb of secrecy. How happy is it for the United States, that they have some men, who dare to consult the pleasure of their constituents, the democratic societies, in spite of all law and order to the contrary. Were it not for a few such heroic spirits, who scorn legitimate control, public business would be wholly under the management of public servants, to whom the constitution has assigned it, & patriotic societies would become useless. For so long as the people are prosperous and easy in their several lots, they will never rack their heads about state affairs. Citizen Genet, thanks to his Jacobinic genius, first set the example, which citizen Macdon has now followed, of appealing to the public sense (of clubs) from the constituted organs of the union: and the principle and intention of both were perfectly similar, although the occasions were a little different.

I was once weak enough to believe that the people were incapable of governing themselves; and that to prevent a state of universal violence and confusion, it was necessary to delegate all the essential powers of government to some men of competent virtue and abilities; with authority sufficient to enforce submission: but I am now convinced of my mistake.—Constitution, laws, order, begone? I give you all to the winds; as I see clearly that all the acts of public bodies require revision; and that the mass convened at town-meetings, are qualified, under a few able leaders, to manage the business much better. Thus it was in the glorious days of Rome and Athens, when town-meetings were all the fashion; when a CLODIUS and a CLEON were able to point the thunder of popular vengeance against such obnoxious characters; as a CICERO and a SOCRATES;—and in our time, when a ROBESPIERRE and a MARAT, by the same weapons, were able to crush a ROCHEFOUCAULT and a FAYETTE—and I expect that the United States of America will soon display to the world an example of still greater eclat. Appearances at least are very promising. Town-meetings, and democratic societies under skillful hands, are the most powerful revolutionary engines ever devised. Grant me these two instruments, and a subversive press, and I will tear an ANTONINUS or a TRAJAN from his throne, however beloved by his subjects. They are in politics like the *ress* in Mechanics, that Archimedes required to remove a world.

Notwithstanding this treaty has made such a figure in the newspapers, and raised so much bustle in the political circles, all the labour seems to be lost on the great body of the people. The farmer returns from market, the mechanic and labourer attend to their daily avocations, without giving this momentous subject more than a transient thought. They seem generally content with their own property, and to think others as happy as themselves. So that I believe whatever may be the fate of the treaty, it will be decided, without knowing the

sentiments of nine parts out of ten of the most respectable citizens. In short the dispute seems principally confined between government, and a few men who have lepped forward to support it, and the democratic societies. It is a struggle for victory; and whichever party is foiled in this contest, must hereafter submit to be ruled. Viewed in this light the subject becomes doubly important; first, whether we shall cement the connection with Great Britain on the conditions proposed; and secondly, whether the President and Senate shall decide the question; or whether it be necessary that Democratic Societies should guarantee the treaty. As an integer of the body politic, who conceive myself interested in the issue, I very honestly declare myself an advocate for the last proposition; and at some future time, you shall have my reasons for so thinking, if I have leisure to arrange them. At present I will detain you only with a few observations on the Ambassador extraordinary, and his conduct in this business.

When a public man has accepted a commission of importance under his country, as a General the command of an army, or a Minister the conducting of a negotiation, his constituents have a just right to expect full and complete success: and in case of a failure the delinquent is subject to an impeachment at least. In a free Republic how many generals, even after a long series of victories, have forfeited their heads for a single defeat! But in the case at present under consideration, when, if we can believe the joint testimony of French and American gazettes, "England is at her last gasp, and America has nothing to do but to seize her by the throat, and she will expire in agonies at her feet," to sign such an infamous compact as this, the negotiator would deserve the guillotine. How unfortunate it was that the President had not appointed a more suitable envoy on this interesting commission; especially, when there were so many distinguished patriots, ready to undertake it. Alas! any one of the immaculate southern delegates, or such a sublime politician as that of South Carolina would have met with the universal approbation of democratic societies. Either of these gentlemen would have insisted, as a *sine qua non*, on full compensation for all the run-away negroes the British carried off with them.—and as to that article, which provides for the payment of ancient debts due to British creditors, it would have been deemed as political heresy, as well as treason against the sovereignty of individual States. Besides, the instant surrender of the Western Posts would have been demanded, as a preliminary article, without which a negotiation could not be commenced. Indeed I should not wonder, if such a plenipo, in imitation of the Roman Proconful, should draw a circle round the British Minister, with the point of his cane, and swear that he should not cross it, until he had dispatched orders to Lord Dorchester for an immediate evacuation. This I declare, would have been acting with the dignity of a republican, whatever might have been the consequence. And if the British Cabinet had manifested no more complaisance to him, than they did to Mr. Jay, which it is possible the haughty Islanders might not, the Ambassador, after spending a few thousand dollars for his country, would only have returned home, *res infirma*—unless they had been so malicious, as to stop him, on a pretence of derangement, and conveyed him to a chamber in bedlam. How ever, the worst that could happen, in case of a total miscarriage, is that, in the course of a few months more, we might have an expensive war on our hands; instead of a recompense for the losses we have sustained by British depredations on our trade, the account would be quickly settled, and the remainder of our vessels might be taken without any compensation at all; and instead of being put in possession of the western posts, they might become the rendezvous of numerous savage bands, who, united with their white allies, might renew their claims to the western wilderness with redoubled fury."

For the GAZETTE of the UNITED STATES.

MR. FENNO,

AN informant of Mr. Baehie's in the Aurora of this morning states, that a meeting of the Citizens of the County of New-Castle in the State of Delaware, collected at Christiana Bridge to express their sense of the late Treaty. That the meeting after reproaching the Treaty, burnt Mr. Jay and the two Senators from that State in effigy. In those facts Mr. Baehie's informant is correct; it only remains to give the public full information on this head to state who the persons were that composed this meeting. That a friend to truth will undertake to do. In consequence of advertisements affixed in different parts of the County, about two hundred and fifty persons met at the place appointed, and without a Chairman, President, Moderator, Committee, or resolves, or one person capable of putting a question, so as to take the sense of the meeting they damned the Treaty. When this was done they paraded the figures which they had previously prepared, in a Cart to a gallows erected for the purpose, and there burnt them. As soon as this ceremony was over, the principle of association which seemed to connect and fraternize them evaporated, and as if his infernal majesty to do mischief had arisen from the ashes of the figures, the meeting broke up, in damning, boxing and mutually execrating each other.

The meeting was conducted by a man who had been some time before elected a Lieutenant in a Volunteer Corps raised in opposition to the laws of the State, and who earns his daily bread by Cart-driving. The meeting was altogether composed of men of that stamp, men generally unqualified to vote at elections, and whose enigma are Cart-whips, spades, and shovels, except between fifty and sixty negroes with whom the whites promiscuously associated and fraternized. Be assured Mr. Fenno, that neither Mr. Jay, Mr. Vining or Mr. Latimer, feel much mortification at being burnt out of such checker'd company.

August 15.

BELVIDERE.

Formerly WHARTON PLACE.  
THE Subscriber returns his grateful acknowledgments to his friends and the public for the favors he has already received, and respectfully informs them that his House continues open for their reception. Public and private parties are accommodated at any hour. An extensive suite of Rooms for those inclined to quit the city during the hot summer months, and excellent stabling and clover pasture for horses.  
The beautiful prospect of this place being so well known needs no description.  
Wm. PURVIS.  
August 15.