MR. AMES'S SPEECH,

In the Houfe of Reprefentatives of the United States, Thursday, April 28. 1796.

I entertain the hope, perhaps a rafh one, that my itrength will hold me out to speak a few minutes.

In my judgment, a right decision will depend more on the temper and manner in which we may prevail upon ourfelves to contemplate the fubject, prevail upon ourielyes to contemplate the fubject, than upon the development of any profound poli-tical principles, or any rsmarkable fkill in the ap-plication of them — If we could fucceed to neu-tralize our inclinations, we fhould find lefs difficul-ty than we have to apprehend in furmounting all our

objections. The juggeftion, a few days ago, that the houfe manifefted fymptoms of heat and irritation, was made and retorted as if the charge ought, to create furprile, and would convey reproach. Let us be more juft to ourfelves, and to the occasion. Let us not affect to deny the existence and the intrulion of fome portion of prejudice and feeling into the debate, when from the very flructure of our nature we ought to anticipate the circumftance as a proba-bility, and when we are admonished by the evidence of our fenses that it is a fact: of our fenfes that it is a fact.

How can we make profeffions for ourfelves, and offer exhortations to the houle, that no influence fhould be felt but that of duty, and no guide re-fpected but that of the underftanding, while the

peal to rally every paffion of main is continually tinging in our eara ! Our understandings have been addreffed, it is true, and with ability and effect ; but, I demand, has any corner of the heart been left unexplored ? It has been ranfacked to find auxiliary arguments, and, when that attempt failed, to awaken the fenfiand, when that attempt latted, to awaken the tenn-bilities that would require none. - Every prejudice and feeling has been furmioned to litten to fome peculiar ftile of addrefs; and yet we feem to believe, and to confider a doubt as an affront, that we are ftrangers to any influence but that of unbiaf-fed reafon.

It would be firange that a fubject which has rouf-ed in turn all the paffions of the country flould be difcuffed without the interference of any of our own. We are men, and therefore not exempt from those paffions-as citizens and representatives, we feel the interests that must excite them. The hazard of great intereffs cannot fail to agitate ftrong paffions : we are not diffuerents eannot fail to agitate firong paffions : we are not diffuerented—it is impoffible we foold be diffuente. The warmth of fuch feelings may becloud the judgment, and, for a time, pervert the underflanding.—But the public fenibi-lity and our own, has fharpened the fpirit of enqui-ry, and given an animation to the debate. The public attention has been quickened to mark the progrefs of the difcuffion, and its judgment, often hafty and erroneous on first impeffions. has become halty and erroneous on first imp effions, has become folid and enlightened at last. Our refult will, I hope, on that account, be the fafer and more mature, as well as more accordant with that of the nation. The only conftant agents in political af-fairs are the paffions of men. Shall we complain of our nature-fhall we fay that man ought to have been made otherwife. It is right already, becaule HE from whom we derive our nature, ordained it fo-and becaufe thus made and thus acting, the caufe of truth and the public good is the more fure-

ly promoted. But an attempt has been made to produce an in-fluence of a nature more flubborn and more unfriend-ly to truth. It is very unfairly pretended that the conflictational right of this house is at flake, and to be afferted and preferved only by a vote in the ne-gative. We hear it faid that this is a ftruggle for hiberty, a manly refiftance against the defign to nul-lify this affembly, and to make it a cypher in the government. That the Prefident and Senate, the numerous meetings in our citics, and the influence of the general alarm of the country, are the agents

Worates and champions.
Indeed to prompt are thefe feelings; and when once roufed, fo difficult to pacify, that if we could prove the alarm was groundlefs, the projudice againft the appropriations may remain on the mind, and it may even pafs for an acl of prodence and duty to negative a meature which was lately believed by ourfelves, and may hereafter be millionceived by others, to encroach upon the powers of the bouic. Principles that bear a remote affinity with ufurpation on the lowers, will be rejected, not merely as errors, but as wrongs. Ourfentibilities will fhrink from a poft where it is poffible they may be wounded, and be inflamed by the flighteft fully in a while thefe prepoficitions
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the rights of the house can be hearing. I I cannot prefs this topic too far—I cannot addrefs myfelf with too much emphalis to the magnauianity and candor of thofe who fit here, to lufpect their own reelings, and, while they do, to examine the grounds of their alarm. I repeat it, we muft conquer our per-fuation that this body has an intereff in sue fide of the queftion more than the other, before we attempt to furmount our objections. On molt fubjects, and fo-lemn ones too, perhaps in the moft folemm of all, we form our creed more from melination than evidence: Let me expollulate with gentlemen to admit, if it be only by way of fuppolition and for a moment, that it is barely pollible they have yielded too fuddenly to their alarms for the powers of this houle—that the ad-dreffes which have been made with fuch variety of forms and with fo great dexterity in fome of them, to all that is prejudice and paffion in the heart, are either the effects or the infiruments of artifice and deception, and then let them fee the fubject once more in its finglences

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effects or the influments of artifice and deception, and then let them fee the fubject once more in its finglencis and fimplicity. If will be impofible, on taking a fair review of the fubject, to juftify the paffionate appeals that have been made to us to furggle for our luberties and rights, and the folesnn extortations to reject the propolition, faid to be concealed in that on your table to farrender them forever. In fpite of this mack folemnity, I demand, if the houle will not concur in the measure to execute the treaty, what other courie fail we take ? How many soft proceeding lie open before us? In the nature of things there are but three—we are ways of proceeding lie open before us? In the nature of things there are but three—we are wither to make the treaty—to obferve it—or break is. It would be ablird to fay we will do neither. If I may repeat a phrafe already fo much abuled, we are upder coercon to do one of them, and we have no power, by the exercile of our differentiation, to prevent the treaty—do and mult fall to the ground. Where is the fifther to make the fifther influence in the addition of replying to thole who urge upon the houle the topics of duty and policy, that they attempt to force the treaty-making power. In tafe we reject the approximation, we do not fecure any greater liberty of action, we gain no fafer fhelter than before from the confermation, we do not fecure any greater liberty of action, it is not the art of the defpotilm of that power, it is the nature of things that compels. Shall way for addition to be timed, and eid not chufe to be quiet-constants of mere founds of mere find to be the section to a section the defpotilm of that power, it is the atture of things that compels. Shall way for a blinder the section of mere founds of mere founds to be the decifion. Indeed they are not to be evaded. It is not the art of the defpotilm of that power, we do not be tred, and eid not chufe to be quiet-constants of a given fcope to an eloquence, that, ane would have a given fcope to an eloqu

Let us examine ftill more in detail the alternatives hat are before us, and we thall hardly fail to fee in ftill fronger lights the futility of our apprehentions for the power and liberty of the houfe. If, as fome have fuggefted, the thing called a Trea-ty, is incomplete, if it has no binding force or obliga-tion, the first question is, will this house complete the infrument, and by concurring, impart to it that force which it wants.

thich it wants. The doctrine has been avowed, that the treaty, the formally ratified by the executive power of both na-tions, though published as a *Lacu* for our own by the Prefident's proclamation, is still a mere proposition sub-Prefident's proclamation, is fill a mere proposition fub-mitted to this affembly, no way diffinguifable in point of authority or obligation from a motion for leave to bring in a bill, or any other original act of ordinary legiflation. This doctrine, fo novel in our country, yet fo dear to many, precifely for the reason that in the contention for power, victory is always dear, is obvi-oufly repugnant to the very terms as well as the fair interpretation of our own refolutions—(Mr. Blount's.) We declare that the treaty-making power is exclutive-ly vefted in the Prefident and Senate, and not in this houfe. Need I fay that we fly in the face of that refo-lution when we pretend that the acts of that power are not walld until we have concurred in them? It would be nonfenfe, or worfe, to use the language of the moft glaring contradiction, and to claim a fhare in a power which we at the fame time difclaim as exclusivelyweft-ed in other departments. What can be more firange <text><text><text><text><text>

We approve a bargain as expedient, and it Itands, firm, and binds the nation. Yet, even in this latter cafe, its force is plainly not derived from the ratification by the treaty-making power, but from our approbation. Who will trace these inferences and pretend that we have no fhare, according to the argument, in the treaty making power? These o-pinions, pevertheles, have been advocated with infinite zeal and perfeverence. Is it possible that any man can be hardy enough to avow them and their ridiculous confequences ?

then the alternative is faira the mind, whether, we will oblerve This in fact is the naked

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aft be complied with. Our agency, if it fhould be requilite, cannot be proper-ty refufed. And I do not fee why it is not as obli-gatory a rule of conduct for the legislative as for the courts of law.

I cannot lofe this opportunity to remark, that the coercion, fo much dreaded and declaimed against, appears at length to be no more than the authority of principles, the defpotifm of duty. Gentlemen complain we are *forced* to act in this way—we are forced to fwallow the treaty. It is very true, unels we claim the liberty of abufe, the right to act as we ought not. There is but one right way open for us, the laws of morality and good faith have fenced up every other. What fort of liberty is that which we prefume to exercife against the authority of these laws? It is for tyrants to complain that principles are reftraints, and that they have no 1 berty to long as their defpotism has limits. These principles will be unfolded by examining the remaining queftion.

SHALL WE BREAK THE TREATY ?

The Treaty is bad, fatally bad, is the cry. The Treaty is bad, fatally bad, is the cry. At facrifices the intereft, the honor, the independence of the Unitited States, and the faith of our engage-ments to France. If we liften to the clamor of party intemperance, the evils are of a number not to be connecd, and of a nature not to be borne, even in idea. The language of paffion and exaggeration may filence that of fober reafon in other places, it has not done it here. The quefion here is, whe ther the treaty be really fo very fatal as to oblige the nation to break its faith. I admit that fuch a reaty ought not to be executed. I admit that felt prefervation is the first law of fociety, as well as of individuals. It would perhaps be deemed an a-bufe of terms to call that a treaty, which violates fuch a principle. I wave allo, for the prefent, any enquiry what departments shall represent the nation, and annul the stipulations of a Treaty. I content myfelf with purfuing the enquiry, whether the na-ture of this compact be fuch as to juftify our refulal to carry it into effect. A treaty is the promile of a hation. Now, promiles do not always bind him that makes them.

But I lay down two rules which ought to guide But Thay down two rules which ought to guide us in this cafe. The treaty muft appear to be bad not a vely in the petty details, but in its character prin A and mafs. And in the next place, this onght to be alcertained by the decided and general concurrence of the enlightened public. I confers there leems to me fomething very like ridicule thrown over the debate by the difcuftion of the articles in detail.

The undecided point is, fhall we break our faith ? And while our country, and colightened Europe, await the iffue with more than curiofity, we are employed to gather piecemeal and article by article from the infframent, a jufification for the deed by trivial calculations of commercial profit and lofs. This is little worthy of the fubject, of this body, pear to be io in its mais. Evil to a fatal extreme, if that be its tendency, requires no proof-it brings it. Extremes speak for themselves and make their own law. What if the direct voyage of American hips to Jamaica with horfes or lumber might net one or two per cent, more than the prefent, trade to Sutinam, would the proof of the fact avail any thing in fo grave a queftion as the violation of the public engagements? It is vain to alledge that our faith plighted to France is violated by this new treaty. Our prior treatics are expressly faved from the operation of the British treaty. And what do those mean who fay that our honor was forfeited by treating at all, and efpecially by fuch a treaty? Juffice, the laws and practice of nations, a just regard for peace as a duty to mankind, and the known withes of our citizens, as well as that felf respect which required it of the nation to act with dignity and moderation, all these nation to act with dignity and moderation, all thele forbid an appeal to arms before we had tried the effect of negocia ion. The honor of the United States was faved not forfeited by treating. The treaty itfelf by its lipulations for the polls, for in-demnity, and for a due observation of our neutral rights, has juftly raifed the character of the nation. Never did the name of America appear in Europe with more luftre than upon the event of ratifying this inftrument. The fact is of a nature to overcome all contradiction. But the independence of the country—we are colonifie aga... This is the cry of the very men who tell us that France will refent our exercise of the rights of an independent nation to adjuit our wrongs with an aggreffor, without giving her the opportunity to fay those wrongs shall subside and shall not be adjust-ed. This is an admirable specimen of the spirit of in produces a fire reaty with Great-Britain, it annot be demot, in unfavorable to this firange ort of independence.

and whenever they shall be in real danger, the prefent, to term at, made, is bung up in sufferingen, 'till our and too folidly refuted, to be repeated here. In-occasion affords proof that there will be no want of ad-vocates and champions. Indeed to proupt are these feelings: and when once it falls; though, as we fay, our faith does not. many oppofers of the treaty to acknowledge, that if it had been permitted to go into operation filent. ly, like our other treaties, fo little alteration of any by, fike our other treates, to fittle alteration of any fort would be made by it in the great mats of our commercial and agricultural concerns, that it would not be generally difcovered by its effects to be in force, during the term for which it was contracted. I place confiderable reliance on the weight men of candor will give to this remark, becaule I believe the panic dread of the treaty fhall ceafe, as it certainly muft, it will be feen through another medium. Those who shall make fearch into the articles for the cause of their alarms will be to far from finding the caute of their alarms will be to far from hinding flipulations that will operate fatally, they will dif-cover few of them that will have any latting opera-tion at all. Those which relate to the disputes between the two countries, will spend their force open the subjects in dispute, and extinguish them. The commercial articles are more of a nature to con-form the avilling these of things them the avilling hrm the existing state of things, than to change it. The treaty alarm was purely an addrefs to the ima-gination and prejudices of the citizens, and not on that account the lefs formidable. Objections that proceed upon error in fact or calculation, may be traced and exposed. But fuch as are drawn from the imagination, or addreffed to it, elude definition. and return to domineer over the mind, after having been banished from it by truth.

I will not fo far abufe the momentary firength that is lent to me by the zeal of the occation, as to enlarge upon the commercial operation of the treaty.

I proceed to the fecond propolition which I have ftated as indifpentibly requilite to a refulal of the performance of a treaty. Will the ftate of public opinion justify the deed ?

No government, not even a defpotifm, will break its faith without fome pretext -- and it mull be plaufible—it mult be fuch as will carry the public opin-ion along with it. Reafons of policy, if not of mo-rality, diffuade evan Turkey and Algiers from breaches of treaty in mere wantonnels of periodity, in open contempt of the reptoaches of their lub-jects. Surely, a popular government will not pro-ceed more arbitrarily as it is more frae, nor with lefs fhame or feruple in proportion as it has better morals. It will not morals. It will not proceed against the faith of treaties at all, unlefs the frong and decided fenfe of the nation shall pronounce, not simply that the treaty is not adventageous, but that it ought to be broken and annulled. Such a plain manifeftation of the fenfe of the citizens is indiffeulibly requifites first, because if the popular apprehensions be not an infallible criterion of the difadvantages of the infrument, their acquiefcence in the operation of it is an irrefragable proof that the extreme cale does not exift which alone could juffify our fetting in aside.

In the next place, this approving opinion of the citizens is requifite as the belt preventive of the ill confequences of a measure always fo delicare, and often fo hazardour. Individuals would, in that cafe at leaft, attempt to repel the opproblum that would be thrown upon Congress by those who will charge it with periody. They would give weight to the teffimony of facts, and the authority of prin-ciptes, on which the government would reft its vin-dication. And if war should enfue upon the viola-tion, our citizens would not be divided from their government, nor the ardour of their courage chilled by the confcioufnels of injuffice, and the fenfe of humiliation, that fenfe which makes those defpicable who know they are difpiled.

I add a third reafon, and with me it has a force that no words of mine can augment, that a government wantonly refusing to fulfill its engagements, is the corrupter of its citizens Will the laws contisue to prevail in the hearts of the people, when the refpect that gives them efficacy is withdrawn ftom the legiflators? How thall we punish vice. while we practice it ? We have not force, and vain will be our reliance when we have forfeited the resources of opinion. To weaken government, and to corrupt morals are effects of a breach of faith not to be prevented-and from effects they become caufes, producing with augmented activity, more diforder and more corruption-order will be diffur-bed and the life of the public liberty fhortened. And who, I would enquire, is hardy enough to pretend that the public voice demands the violetion of the treaty? The evidence of the feule of the great mais of the nation is often equivocal. But when was it ever manifested with more energy and precision than at the prefent moment? The voice of the people is raifed against the measure of refuting the appropriations. If gentlemen thould urge, neverthelefs, that all this found of alarm is a counterfeit expression of the lease of the public, L will proceed to other proofs. Is the neaty ruinous to our commerce? What has blinded the eyes of the merchants and traders? Surely they are not enemies to trade, nor ignorant of their own interefts. Their fenfe is not fo liable to be miltaken as that of a nation, and they are almost unanimous .----The articles flipulating the redrefs of dur injuries are flaked upon the competency of that redrefs fay no fuch thing. Trey wait with anxious fear left you fhould annul that compact on which all their opes are refted.

d inftruments of a fcheme of coercion and terror, to force the treaty down our throats, though we loathe it, and in fpite of the clearest convictions of duty and confcience.

duty and conference. It is neceffary to paufe here and enquire, whe-ther fuggettions of this kind be not unfair in their very texture and fabric, and pernicious in all their influences : They oppofe an obffacle in the path of enquiry, not fimply difeouraging, but abfolutely in-furmountable. They will not yield to argument ; furmountable. They will not yield to argument; for, as they were not realoned up, they cannot be reafoned down. They are higher than a Chinefe wall in truth's way, and built of materials that are iadefiructible. While this remains, it is vain to argue; it is vain to fay to this mountain, be thou calt into the fea. For, I afk of the men of know-ledge of the world, whether they would not hold him for a blockhead that fhould hope to prevail in an argument whole fcope and object it is to mortify the felf love of the expected profelyte? I afk further, when fuch attempts have been made, have they not failed of fuccefs? The indignant heart repels a conviction that is believed to debafe

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reputation for fenfe, among their wire first the maty is bad, will put that repuof the public faith. The proper ground of the con-troverfy, therefore, is really unoccupied by the op-pofers of the treaty ; as the very hinge of the debate is on the point not of its being good or other-wife, but whether it is intolerably and fatally per-nicious. If loofc and ignorant declaimers have any where afferted the latter idea, it is too extravegat

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Thus we offer preof, little fort of abfolute demonitration, that the voice of our country is railed not to fanction, but to deprecate, the nonperiormance of our engagements. It is not the nation, it is one, and but one, branch of the government that proposes to reject them. With this alpect of things, to reject is an act of defperation.

I shall be asked why a treaty fo good in some ar-ticles, and so harmless in others, has met with such unreleating opposition ? And how the clamours against it from New Hampshire to Georgia can be accounted for ? The apprehentions fo extensively diffufed, on its first publication, will be souched as proof that the treaty is bad, and that the people old it in abhorrence.

I am not embarraffed to find the answer to this nfinuation. Certainly a forefight of its permious peration could not have drested all the franklast