

deigned to admit, that the election of the president is pretty well guarded. I venture somewhat further, and hesitate not to affirm that if the manner of it be not perfect, it is at least excellent. It unites in an eminent degree all the advantages, the union of which was to be desired.

It was desirable that the sense of the people should operate in the choice of the person to whom so important a trust was to be confided. This end will be answered by committing the right of making it, not to any pre-established body, but to men chosen by the people for the purpose and at the particular conjuncture.

It was desirable, that the immediate election should be made by men most capable of analyzing the qualities adapted to station, and acting under circumstances favourable to deliberation, and to a judicious combination of all the reasons and inducements that were proper to govern their choice. A small number of persons, selected by their fellow-citizens from the general mass, will be most likely to possess the information and discernment requisite to so complicated an investigation. It was also peculiarly desirable to afford as little opportunity as possible to tumult and disorder. This evil was not least to be dreaded in the election of a magistrate, who was to have so important an agency in the administration of the government, as the president of the United States. But the precautions which have been so happily concerted in the system under consideration, promise an effectual security against this mischief. The choice of several to form an intermediate body of electors will be much less apt to convulse the community, with an extraordinary or violent movement than the choice of one who was himself to be the final object of the public wishes. And as the electors chosen in each state, are to assemble and vote in the state in which they are chosen, this detached and divided situation will expose them much less to heats and fermentations which might be communicated from them to the people, than if they were all to be convened at one time in one place.

Nothing was more to be desired, than that every practicable obstacle should be exposed to cabal, intrigue and corruption. These most deadly adversaries of republican government might naturally have been expected to make their approaches from more than one quarter, but chiefly from the desire in foreign powers to gain an improper ascendancy in our councils. How could they better gratify this, than by raising a creature of their own to the chief magistracy of the union. But the convention have guarded against all danger of this sort with the most provident and jealous attention. They have not made the appointment of the president to depend on any pre-existing bodies of men who might be suspected with beforehand to prostitute their votes; but they have referred it in the first instance to an immediate act of the people of America, to be exerted in the choice of persons for the TEMPORARY AND SOLE PURPOSE of making the appointment. They have excluded from eligibility to this trust, all those who from situation might be suspected of too great devotion to the president in office.—Thus, without corrupting the body of the people, the immediate agents in the election will at least enter upon the task free from any sinister bias. Their transient existence, and their detached situation, already taken notice of, afford a satisfactory prospect of their continuing so, to the conclusion of it. The business of corruption, where it is to embrace so considerable a number of men, requires time as well as means. Nor would it be found easy suddenly to embark them, dispersed as they would be over thirteen states in any combinations founded upon motives, which, though they could not properly be denominated corrupt, might yet be of a nature to mislead them from their duty.

Another and no less important desideratum was, that the executive should be independent for his continuance in office of all, but the people themselves. He might otherwise be tempted to sacrifice his duty to his complaisance for those whose favour was necessary to the duration of his official consequence. This advantage will also be secured, by making his re-election to depend on a SPECIAL BODY of representatives, deputed by the society for THE SINGLE PURPOSE of making the important choice.

All these advantages will be happily combined in the plan devised by the constitution, which is, that THE PEOPLE OF EACH STATE shall choose a number of persons as electors, equal to the number of senators and representatives of such state in the national government, who shall assemble within the state and vote for some fit person as president."

Observations more forcible than those contained in the recited paper are not perhaps to be found in any essay of equal brevity.—Independently of the consideration that the construction contended for by me is the construction given to the constitution by those who framed it, it will be found on mature deliberation, to be the only true and rational construction. By this construction "every practicable obstacle is opposed to cabal, intrigue and corruption" in the election of the chief magistrate: and this construction "unites in an eminent degree all the advantages, the union of which was to be desired."

The right of election is the very essence of our constitution—and the free and unbiassed exercise of that right is the source and security of every other right and privilege. Yet, invaluable as this right is, and inestimable as it ought to be deemed by every true American, there are men among us who, to answer party purposes, are meditating a plan to deprive us of it, at this interesting crisis. That you have exercised this right ever since the general government was put into operation, you very well know. And as the people are the source of all political power, you cannot be deprived of it without your consent. It is in your power to retain this privilege by the electing men to

represent you in the state legislature on whose honour and patriotism you may safely rely to protect your rights. On the other hand if you make a voluntary surrender of it by electing those who have shown a willingness to wrest it from you and vest it in the legislature, you will act with as little prudence and discretion, as if you joined your enemies to plunder yourselves.

If you once consent to surrender this right, what security have you that it will ever be recovered? Although your immediate representatives may be willing to restore it at a future period, (when it may answer their purposes) it will not be in their power without the concurrence of the senate. Whilst you exercise the right of choosing the electors, you have the election of president as much under your control as if he was elected immediately by yourselves. But if you surrender it to the legislature, it will be so far removed from your immediate agency, that you will lose this controlling power; and the farther the election is removed from popular choice, the greater will be the danger of cabal, intrigue, corruption, and sedition, and the less will be the regard for the happiness of the people.

I will now make a short reply to a hand-bill, subscribed "A Friend to Fair Play."

Having given my name to the public, and submitted my observations to their candour and impartiality, I had taken the resolution not to take notice of anonymous writers, who for obvious reasons, might think proper to conceal their real names from the knowledge of their fellow-citizens. This resolution would not have been departed from in this instance, had not Mr. Key, of Annapolis, avowed himself to be the author.—As "a friend to fair play," he ought at least to have conducted his publication with candour and liberality. It has been my study to avoid personalities.—

His mention of *Frenchified philanthropists*,—and the *accumulated horrors of a French revolution*,—are too loose and indeterminate to merit serious remark; and as they have no connexion with my address to you, they are consigned to oblivion as unworthy of observation.

I think it of little consequence to discuss the question whether "the writers in favour of Mr. Jefferson, and the exclusive patriots, have more sense than the majority of the house of representatives, more wisdom than the majority of the senate, and more constitutional knowledge than is to be found in the three branches of government." Of as little consequence would it be to discuss the question, whether the *majority*, or the *minority* in congress have more wisdom or patriotism;—or whether the representation of any particular district possesses more than his constituents. Such questions I shall leave to be investigated by those who cannot justly appreciate the right of freely examining public characters and measures. As an individual, I claim only the right to judge for myself. The paragraph before us, in a different shape, reiterates the doctrine of *unlimited confidence* in the public servants;—or in other words, the *arbitrary doctrine of passive obedience and non-resistance*. As a man of talents it is wonderful that the sentiment should have escaped Mr. Key; but it affords strong presumptive evidence of the propriety of the observation, that it is difficult to unroot ancient prejudices, and dispossess former feelings.

It now appears to be the great *fleet anchor* of our opponents to endeavour to persuade you that Mr. Adams in all his public acts has pursued the system adopted by his predecessor general WASHINGTON; and that the latter, in his letter, notifying his acceptance of the command of the army, has expressed an unqualified approbation of every act of his administration. If you can be prevailed upon to believe this, you are easily imposed upon indeed. I have already shewn that upon points of great national concern, they have pursued a different line of conduct,—particularly as to the MILITIA—military establishments,—and foreign intercourse.—A view of the letter alluded to will shew incontrovertibly that it relates *wholly and solely* to the conduct of the executive with respect to the then existing differences between this country and France. Permit me to exhibit the letter to your view.

"It was not possible for me to remain ignorant of, or indifferent to, recent transactions. The conduct of the *directors* of France towards our country; their insidious hostility to its government; their various practices to withdraw the affections of the people from it; the evident tendency of their act, and those of their agents, to countenance and invigorate opposition; their disregard of solemn treaties and the laws of nations; their war upon our defenceless commerce; their treatment of our ministers of peace; and their demand amounting to tribute; could not fail to excite in me corresponding sentiments with those my countrymen have so generally expressed in their affectionate addresses to you. Believe me, Sir, no one can more cordially approve of the wise and prudent measures of your administration. They ought to inspire universal confidence, and will, no doubt, combined with the state of things, call from congress such laws and means as will enable you to meet the full force and extent of the crisis."

Satisfied, therefore, that you have sincerely wished and endeavoured to avert war, and exhausted, to the last drop, the cup of reconciliation, we can with pure hearts appeal to Heaven for the justice of our cause."

Every sentence of the letter proves my opinion to be just;—that it relates *solely* to our disputes with France. Speaking of the measures of administration, he says "they ought to inspire universal confidence, and will, no doubt, combined with the state of things, call from congress such laws and means as will enable you to meet the full force and extent of the crisis."—What crisis did he allude to?—Undoubtedly, the expected

rupture with France. And when he says, "with pure hearts appeal to Heaven for the justice of our cause," is it not evidently in reference to a war with France, in case the event should happen?—Congress must compel the admission that it can have no relation to the *alien act*, or any other particular act of government. Moreover, it should be remembered that at the time this letter was written, Mr. Adams had been only sixteen months in office; and that since that period, some of the most alarming acts of government have been passed. The sedition act, and the five millions eight per cent. loan, without doubt, favourite acts of the president, were passed subsequent to the date of that letter. It is needless to be more particular.

I believe three fourths of the people of America approved of all those measures of administration which had sincerely for their object, the settlement of our differences with France, or any other European power: and when France rejected our offers to negotiate, ALL united in the opinion that it was necessary to put the country in a proper state of defence. This is known to have been my opinion decidedly. Hence it follows that Mr. Key is mistaken when he tells you that the voice of Washington, rising as it were from the grave, approved what *Sir. Duvall* censures and condemns. I concurred in opinion with general WASHINGTON.—How far the immortal WASHINGTON and Mr. Key heretofore agreed in their politics, YOU VERY WELL KNOW.

Mr. Key is equally mistaken when he tells you that my *visionary* publication is chiefly extracted from the works of Virginia democrats, and that the substance of the whole is to be found on the files of the *Aurora*, and in the libels of Callender. The substance of my address is not to be found on the files of the *Aurora*, or in the libels of Callender. The opinions and observations which I had submitted to your consideration are my own, and not the echo or infusion of other men, except a part of the arguments on the alien and sedition acts, which were given as a quotation; and which are the arguments of the learned, virtuous, and truly patriotic Mr. MADISON. They cannot be retorted by the LIBERATORS of the world. His works ought to be in the hands of every true American, and lover of his country. It should form a part of our POLITICAL CREED.

Some men think all arguments *visionary* which assert and vindicate the RIGHTS OF MAN. Mr. Pitt has declared his opinion that those arguments are *visionary* which assert the doctrine of the sovereignty of the people, and that those who maintain that doctrine are the enemies of the human race. I am mistaken if many of our opponents do not coincide in opinion with him.—

Mr. Key next makes a charge of irreligion against Mr. Jefferson; and to prove it he has extracted three lines from his notes on Virginia. These do not support the charge. Mr. Key is again mistaken; and as it would be doing violence to probability to impute his mistake to ignorance, respect for his character induces me to believe that he has never read the whole of that valuable work. I will give the passage relied on by Mr. Key, with a few preceding and subsequent sentences;—a short extract from the 237th page;—and a part of the preamble to the act for establishing religious freedom, drawn up by Mr. Jefferson, and passed by the legislature of Virginia. These will satisfy any impartial man that the charge is unfounded.

Mr. Jefferson in the 231st page of his notes, makes these observations. "The error seems not sufficiently eradicated, that the operations of the mind, as well as the acts of the body, are subject to the coercion of the laws. But our rulers can have no authority over such natural rights only as we have submitted to them. The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbour to say there are twenty Gods, or no God. It neither picks my pocket nor breaks my leg. If it be said, his testimony in a court of justice cannot be relied on, reject it then, and be the stigma on him. Constraint may make him worse by making him a hypocrite, but it will never make him a truer man. It may fix him obstinately in his errors, but will not cure them. Reason and free inquiry are the only effectual agents against error. Give a loose to them, they will support the true religion, by bringing every false one to their tribunal, to the test of their investigation. They are the natural enemies of error, and of error only. Had not the Roman government permitted free inquiry, christianity could never have been introduced, &c."

In the 237th page, we find the following remarks.—"Can the liberties of a nation be thought secure, when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath? Indeed I tremble for my country when I reflect that God is just: that his justice cannot sleep for ever, &c."

Extract from the act for establishing religious freedom. "WELL aware that Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the HOLY AUTHOR OF OUR RELIGION, who being LORD both of body and mind, yet chose not to propagate it by coercion on either, as was in his apostate to do; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men, have assumed dominion over the faith of others,