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WILLIAM JUDD's ADDRESS

TO THE PEOPLE OF THE STATE OF CONNECTICUT.

(Concluded.)

When federalists abandon the idea, that the royal charter and statute laws are constitutions, and labor to show that we have a constitution that was once adopted by the people, they seem to show some respect for the people, and that it is because the people made and adopted this old compact, that entitles it to validity. They here expressly admit what we have before laid down, (viz)—That the supreme power of the state, which includes in it the power of making and altering constitutions at pleasure, is vested in the people thereof. 2. That no act or instrument deserves the name of constitution, unless it be adopted by this supreme power. What shall we think of the consistency of these men? They know perfectly well, that this compact was only made for the temporary necessity of a few, and not assented to by one half of those, then living within the territory of the now state of Connecticut; that of itself it is totally inadequate for the common purposes of a constitution, so much so, that it has rarely if ever till lately, been referred to as the basis of our government. Why not submit this to the people of the now state of Connecticut? Why not give the people living within the old colony of New-Haven a voice in making a constitution? need they less privileges than the people of Hartford county? but suppose that both colonies, having the right of sovereignty and independence, had a century and a half ago agreed to this old compact; is it to be so conclusive, that no alteration can now take place, if the people judge best? we here request our fellow citizens to "pause—pause—for heaven's sake pause"—and see what gross absurdities men will adopt to keep themselves in power. In the address of the Republican convention on this subject, it was observed, "If all things are now right, let the voice of the people establish them as they now are."—If any amendments are desirable, let the people have opportunity to make them." But this appeal to the people on this subject, is judged a crime, worthy of impeachment and removal from office; for say they, "If you had done any thing, you ought to have addressed the legislature, and yet these men have such a veneration for the people, that in their opinion, a few emigrants from a British colony, neither sovereign nor independent, because they were the people, can bind the posterity of those, who were never parties in any of their acts.

Having shown that there is no instrument, that can correctly be called a constitution of civil government, for the state of Connecticut; and that the form of existing government is such, as by no means to afford a permanent security to the political happiness and tranquility of the people; it seems to follow as a dictate of prudence, that a wise people ought early to correct such known defects in their government. But lest objections should arise on the ground of the existence of a spirit of party in this state, it may be necessary to make some observations, tending to show that the present is not an unfavorable time, to enter upon this important work. Those who, notwithstanding the clear proofs to the contrary, still insist that we have a constitution; or notwithstanding the absurdity of the idea, still believe that our form of government is good enough, will never be at a loss for plausible objections against any measures which may be taken, to provide for this state, a constitution. By such, every situation of society will be called a ferment, or quiet repose. Either of these situations afford, in their view, equal objections to a reform in government. In England, every proposition that has proceeded from her patriots, for reforming the most corrupt abuses that ever disgraced the name of a free government, has ever been rejected by those who feel an interest in the existence of these corruptions. If the proposition be made in time of war, the objectors say, "this is a very bad time to consider of this subject, our whole attention ought to be engaged in providing ways and means to annoy our enemy." If it be made in time of peace, the advocates are thus addressed—"Do you not see the people in perfect repose, each one under his own vine and fig tree, enjoying unparalleled prosperity under the present government? why will you convulse the nation by such an ill-timed proposition. Surely such conduct does not prove your patriotism. Let the people enjoy some quiet after their laborious wars; seek a more favorable opportunity for your proposed reformation." Thus devoted England must ever adhere to her corrupt government.

This state, 'tis true, is in a ferment, but not in war. This ferment seems to have been greatly increased, by calling the attention of the people to the subject of the constitution. We wish not to impute to any class of men base motives, in their endeavors to excite this ferment, we only observe, that those men who are opposed to the Constitution, have it in their power at any time to excite a similar, or even a greater ferment. If this be now admitted to be a sufficient objection against considering the subject of a constitution, we never shall have a constitution; for causes will never be wanting which may give rise to the same objection. How, fellow citizens, are you to get a constitution, unless you exert yourselves? do you expect that it will create, and introduce itself to you, imperceptibly? if you wish for a constitution, without attending to the subject yourselves, let government alone, never attend freemans meetings, and you will soon find a smooth despotic calm.—But if you wish for a constitution which shall receive your approbation, inform yourselves on the subject, consult each other, and let your opposers, if they please call your consultations a ferment; in their view, every freemans meeting is a ferment.

Republicans, while composing an apparent minority in this state have called your attention to the subject of a constitution, and urged you to take measures, thus to secure to yourselves the perpetual enjoyment of civil and religious liberty. Federalists, while they think they constitute a large majority of the state, have endeavored to treat our solicitations with contempt, and to convince you, that while they are in power, you need no walls nor bulwarks to preserve your liberty. Are you, fellow-citizens, satisfied with such treatment. Does it not convince you, that federalists dare not trust you to make a constitution for yourselves? can you be at a loss for the cause of this? do they know that under a constitution, the same men could not be forever secure in the same offices which accumulate all the powers of government and the control of elections? do they not know that a constitution would enable every one who reads, to see and understand every departure in rulers, from that which is calculated to subserve the interests and liberty of the people? do they not know that a constitution would enable you to distinguish every act which is made for selfish purposes, and not for the common good? do they not know that that constitution you should approve, would give them no better chance for promotion, than others of equal merit? these things they know full well——

Hence they have summoned to their aid, the whole long chapter of "the deceptive arts of demagogues," to prevail upon you, to put yourselves under their unlimited controul. Hence their servile flatteries. Hence you are often told, that you are the wisest and most enlightened people on earth; that your ancestors were the most pious and godlike men that ever lived; that you are so wise that your government will go on well enough without a constitution.

These things may tickle your vanity; they may even be believed by some of you, when applied to himself—but is there one of you, who believes them true when applied to a neighbour?——We will not flatter you fellow citizens; we do not think you so wise as you are represented to be, but you are honest, and your honesty by inducing you to expect too much honesty from others, has subjected you to impositions. You wish right to take place; you wish your rulers to be honest; in this we heartily concur with you; but our wishes are not such, as to compel us to believe what we wish. If you are as wise as you are flatteringly told you are, manifest your wisdom by declaring, that you will have a constitution.

In the foregoing parts of this address, we have undertaken to shew that the word constitution, when applied to the arbitrary and hereditary governments of Europe, has been used in a very different sense from that understood by the people of the United States, when applied to our own government; what a constitution is, and how made in a free government; and that we have none in this state that answers to our description.

We have shewn that the supreme power of this state, which includes in it the power of making and altering constitutions at pleasure, is vested in the people thereof; that no act or instrument deserves the name of constitution, unless it be adopted by this supreme power; that we have no such act or instrument; that we have no constitutional restraints, which can prevent the legislature from passing the most arbitrary and tyrannical laws, from judging of the same laws, and from executing their judgments; that our whole basis of government depends on statute laws, which are made by and are repealable at the pleasure of the legislature; that our government is defective in its form and organization; that the accumulation of the legislative, executive and judiciary powers, is in the hands of the governor and council; that eminent writers have declared, that a government thus constructed, is an unsafe, tyrannical government; that in a government like this, the most essential rights of a free people may be laid prostrate to the will of those, who have this concentration of powers; that the power of the legislature is coextensive with their sovereign will and pleasure; that the right of suffrage may be rendered of little service, in a government thus formed and organized; that in such a government the voice of honest complaint may be ever stifled by the hand of power; that if good men have hitherto governed, it can afford no security for the future; that all these evils can be thoroughly remedied only by a constitution, and that to provide this remedy, we may never have a more favorable time than the present.

Fellow-Citizens,

I here present to your view a case, which claims your candid and unprejudiced examination. More than two hundred men being assembled at New-Haven, declared that in their opinion, this state had no constitution of civil government. Among these were William Judd, Jabez H. Tomlinson, Agur Judson, Hezekiah Goodrich, and N. Manning esqs. justices of the peace, who for having expressed and published this opinion, have been impeached and removed from office by the general assembly.

People of Connecticut,

You are either sovereign or you are subjects. If in Connecticut there is a class of beings, higher than the people, then are you the subjects of such beings; and to know their will and to obey it, is your only service and duty. But if the supreme power of the state is in the people, and they and they only have the right to make and alter their constitutions, have they not a right to express their opinion on any part of the subject respecting constitutions? If the whole people have this right, have not any part of them, or any individual the same right? If two hundred have not this right, why should two thousand have it? And if two thousand have not this right, why should twenty-thousand, or even a majority have it? Have we in Connecticut arrived to this, that the sovereignty of the people is denied? Or are men, holding offices, to be impeached for addressing the sovereign people, on a subject that immediately concerns the sovereignty? Are we now to be told, that it is a crime to address the people on the subject of a constitution? And that we ought to have addressed the legislature, when the very object of a constitution is to define and limit the powers of the legislature?

Fellow Citizens,

Are you ready to decide? What further do you wait for? Do you expect that the legislature will call on you to limit and define their powers? Or do you think yourselves safe while under their unlimited control? Do you imagine that our civil offices will ever be filled with better federal men, than at present? Do you expect that our government will grow more favorable for you, or even continue for years to come as favorable as it now is? Do you not on the contrary know, that every institution, depending upon the fluctuating passions of men, is continually liable to corruption? Do you not derive sufficient proof of this from the histories of all those people, who have neglected to separate the great branches of government? If you expect to receive any assistance on this subject from men now in power, you will be deceived.

In every part of this address, it has been my wish to avoid calling in question the motives of the measures of the legislature. To their own master they must stand or fall. For me it is sufficient, that motives and measures wholly opposed to them, appear inseparable from the rights and condition of a free people. In these pages it has been my aim to avoid any charge of dishonesty on those, who differ from me. Many of them are honest; they were tories in the war time, and are still so, consistently. Those of them who dislike our revolution and the union of the states, who disbelieve in the principles of liberty, and in the sovereignty of the people, and who are resolved to believe that a republican government cannot be supported, may be very honest in their motives and measures; but their honesty and mine must lead to very different issues. In addressing the people, my object has been to lead their attention to a conception of their own sovereignty, regardless of those arts, by which the few in every country and in every state are endeavouring to lord it over the many; arts, which with us, can never be defeated, without a constitution of civil government.

People of Connecticut,

An earlier season of life, or a better state of health, would have enabled me to communicate my thoughts to you on this important subject, in a more impressive manner.

During many years I have exercised the office of a justice. Within that time my best days were devoted to the cause of my country in the field, to secure to you, and myself, and to our children, the sovereign rank of freemen. I have lived to rejoice in the election and administration of President Jefferson—and at the very eve of his re-election am removed from office, for having joined more than two hundred of my brethren in a declaration, that this state has no constititution of civil government, a declaration, with which I could conscientiously close my breath. The words used by me were, according to their usual import, undeniably true. No man believes that the old agreement of 1639, or the charter, or the bill of rights, or the statute law book, contains what is called a constitution by the people of the United States. But if our legislature chose to call such things constitutions, was I never to know their opinion, except through the medium of an impeachment?

To me, removal from office is no punishment; but to the people of this state and to those who are soon to take our places, it is important to settle the point, whether laws, which like clouds, to be floated by every wind, are to be called a constitution; and whether the legislature has power to punish for opinions on a subject, where no danger could arise, provided the opinions were demonstrably ill-founded.

Next to self-evident truth, is our declaration, that this state has no constitution of civil government. Hence is all the danger, and if you are ready to sanction the removal of men for such declarations, be it my consolation, that you have no power over the mind, & that there is an infinitely wise tribunal, which will hereafter decide without prejudice or passion, and from whose decisions there is no appeal to party or power.

National Intelligencer.

REPORT.

In obedience to the directions of the act, supplementary to the act, intituled "An act to establish the Treasury Department," the Secretary of the Treasury respectfully submits the following

REPORT AND ESTIMATES—

REVENUE.

THE nett revenue, arising from duties on merchandise and tonnage, which accrued during the year 1802, and on which the estimates of last year were predicated, amounted, as will appear by the statement (A,) to ten millions one hundred and fifty four thousand dollars. The nett revenue, arising from the same source, which accrued during the year 1803, has amounted, as appears by the same statement, to eleven millions three hundred and six thousand dollars. And it is ascertained that the nett revenue which accrued during the three first quarters of the year 1804, considerably exceeds that of the corresponding quarters of the year 1803. Without drawing any inference from the increase of the present year, an increase which must be ascribed to the situation of Europe, and will eventually be diminished by subsequent re-exportations; that branch of the revenue may, exclusively of the Mediterranean fund, be safely estimated at ten millions seven hundred and thirty-thousand dollars: which is the average of the two years 1802 and 1803. The actual payments in the treasury on account of those duties, during the year ending on the 30th September last, amount nearly to the same sum; (a) and there is no reason to suppose that the receipts of the ensuing will fall short of those of last year.

The statement (B) exhibits, in detail, the several species of merchandise and other sources, from which that revenue was collected during the year 1803.

It also appears that the revenue, arising from the sales of public lands, is gradually encreasing. The statement (C) shews that, exclusively of the September sales at Cincinnati, three hundred and fourteen thousand acres have been sold during the year ending on the 30th of September last. The proceeds of those sales, calculated on the supposition that every purchaser will be entitled to the discount allowed in case of prompt payment, would yield five hundred and fifteen thousand dollars. And notwithstanding the difficulties which exist, in drawing into the treasury the monies collected by the receivers of the remote land offices, it is believed that the actual receipts from that source, will, for the ensuing year, exceed four hundred and fifty thousand dollars.

The permanent revenue of the United States, may therefore, including the duties on postage and other small incidental branches, be computed at eleven millions two hundred thousand dollars.

And the payments in the treasury during the year 1805, on account of the temporary duties which constitute the "Mediterranean Fund" are estimated at five hundred and fifty thousand dollars; making in the whole, for the probable receipts of that year, a sum of eleven millions seven hundred and fifty thousand Dollars, 11,750,000

EXPENDITURES.

The expenses of the year 1805, which must be defrayed out of that revenue, consist of the following items:

1. The annual appropriation of eight millions of dollars for the payment of the principal and interest of the public debt; of which near 3,700,000 dollars will be applicable to the discharge of the principal, and the residue to the payment of interest,		8,000,000
2. For the civil department and all domestic expenses of a civil nature, including military pensions, the light house and mint establishments, and the expenses of surveying public lands,		952,000
3. For expenses incident to the intercourse with foreign nations, including the payment of awards under the 7th article of the British treaty, and the permanent appropriation for Algiers,		294,000
4. For the military and Indian departments, including the permanent appropriation for certain Indian tribes,		954,000
5. For the naval establishment, viz. annual appropriation charged to the ordinary revenue,	650,000	
Extra. expenses of the last expedition against Tripoli, which will be payable in the year 1805, and are charge-to the Mediterranean fund,	590,000	
		1,240,000
6. Reserved out of the Mediterranean fund for meeting other extraordinary expenses which may be incurred under the act constituting the fund,		100,000
Making altogether eleven millions five hundred and forty thousand dollars,		11,540,000
and deducted from the revenue of		11,750,000
Leaves a surplus of more than two hundred thousand dollars,		210,000

MEDITERRANEAN FUND.

The sum which may probably be received during the year 1805, on account of that fund, and the payments during

a 10,729,708 *dollars and 54 cents.*