

**James Madison to James Monroe, December 20, 1795.  
partly in cipher, includes decoded copy. Transcription:  
The Writings of James Madison, ed. Gaillard Hunt. New  
York: G.P. Putnam's Sons, 1900-1910.**

**TO JAMES MONROE. MAD. MSS.**

Philada, Decr 20, 1795

Dear Sir,

The last of your favors come to hand bears date Sept 8, 1795, of which a duplicate has also been received. The others which it may be proper to acknowledge or reacknowledge are of Novr 30th, 1794, which was opened at Halifax, & forwarded to me in that state, —Decr 18, 1794, covering a copy of one of the same date to Mr. *Randolph*; Feby 18, 1795, covering a copy of one of Feby 12 to the same,—Feby 25, covering a duplicate of ditto,—June 13, inclosing a copy of a letter of May 4, from Mr. Short,—June 3-28-30,—July 26, covering the correspondence with *Jay*; and August 15.—As I cannot now give minute answers to each of these letters, & the necessity of them as to most has been superseded, I shall proceed to the object most immediately interesting to you, to wit the posture of things here resulting from the embassy of Mr. Jay. The Treaty concluded by him did not arrive till a few days after the 3d of March which put an end to the last session of Congs. According to previous notification to the Senators that branch assembled on the 28th of June the contents of the Treaty being in the mean time impenetrably concealed. I understood it was even withheld from the Secretaries at War & the Treasury, that is Pickering & Wolcot. The Senate, after a few weeks consultation, ratified the Treaty as you

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have seen. The injunction of secrecy was then dissolved by a full House, and quickly after restored sub modo, in a thin one.

Mr. Mason disregarding the latter vote sent the Treaty to the press, from whence it flew with an electric velocity to every part of the Union. The first impression was universally & simultaneously against it. Even the mercantile body, with the exception of Foreigners and demi-Americans, joined in the general condemnation. Addresses to the P. agst his ratification, swarmed from all quarters, and without a possibility of pre-concert, or party influence. In short it appeared for a while that the latent party in favor of the Treaty, were struck dumb by the voice of the Nation. At length however, doubts began to be thrown out in New York, whether the Treaty was as bad as was represented. The Chamber of commerce proceeded to an address to the P., in which they hinted at war as the tendency of rejecting the Treaty, but rested the decision with the constituted authorities. The Boston Chamber of Commerce followed the example, as did a few inland villages. For all the details on this subject I refer to the Gazettes, which I presume you continue to receive from the Department of State. It appears that the struggle in the public mind was anxiously contemplated by the President, who had bound himself first not to disclose the Treaty till it should be submitted to the Senate, and in the next place, not to refuse his sanction if it should receive that of the Senate. On the receipt here, however of the predatory orders renewed by G. B., the President as we gather from Mr. Randolph's pamphlet<sup>1</sup> was advised not to ratify the Treaty unless they should be revoked and adhered to this resolution, from the adjournment of the Senate, about the last of June till the middle of August. At the latter epoch Mr. Fauchet's intercepted letter became known to him, and as no other circumstance on which a conjecture can be founded has been hinted to the public, his change of opinion, has been referred to some impression made by that letter, or by comments upon it, altho' it cannot easily be explained how the merits of the Treaty, or the demerits of the provision order could be affected by the one or the other. As soon as it was known that the P. had yielded his ratification the<sup>2</sup> *Br party were reinforced by those who bowed to the name of constituted authority , and those who are implicitly devoted*

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*to the Pr. Principal Merchants of Philada , with others amounting to abt four hundred , took the lead in an address of approbation. There is good reason to believe that many subscriptions were obtd by the Banks, whose directors solicited them and by the influence of Br capitalists. In Baltimore Charleston , & the other*

1 "A Vindication of Mr. Randolph's Resignation," Philadelphia, 1795. Samuel H. Smith. Randolph resigned August 19.

2 Italics for cypher.

*commercial towns , except Philada, New York, & boston , no similar proceeding has been attainable. Acquiescence has been inculcated with*

*the more success by exaggerated pictures of the public prosperity , an appeal to the popular feeling for the President , and the bugbear of war; still, however there is little doubt that the real sentiment of the mass of the community is hostile to the treaty. How far it may prove impregnable , must be left to events. A good deal will depend on the result of the session , & more than ought, on external contingencies. You will see how the Session opened in the President's Speech & the answer to it.<sup>1</sup> That you may judge the better on the subject, I add in the margin of the latter, the clause expunged, as not true in itself, and as squinting too favorably at the Treaty. This is the only form in which the pulse of the House has been felt. It is pretty certain that a majority disapproves the Treaty but it is not yet possible to ascertain their*

1 The sentence to which the Republicans objected was: ". . . in justice to our own feelings, permit us to add the benefits which are derived from your presiding in our councils, resulting as well from *the undiminished confidence* of your fellow-citizens, as from your zealous and successful labors in their service." Madison wished to bring a less pronounced clause before the House, but Sitgreaves and Sedgwick overruled him. Josiah Parker, of Virginia, flatly declared that his confidence in the President was diminished,

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others that the confidence of a part of the people was diminished. On December 17th the House adopted the following, written by Madison:

“In contemplating that spectacle of national happiness which our country exhibits, and of which you, Sir, have been pleased to make an interesting summary, permit us to acknowledge and declare the very great share which your zealous and faithful services have contributed to it, and to express the affectionate attachment which we feel for your character.”—Annals, 4th Cong., 1st Sess., 155.

*ultimate object*, as matters now are. The *Speech of the Pr* was well adapted to his view. The *answer* was from a *Committee, consisting of myself, Sedgwick, & Sitgrove*, in the first *instance*, with the addition of *two other members* on the *recommitment*. In the first *committee*, *my two colleagues* were of the *Treaty party*; and, in the *second*, *there was a willingness to say all that truth wd permit*. This explanation will assist you in comprehending the transaction.

Since *the answer, as passed, & was presented, no* has been said or *done in relation to the Treaty*. It is much to be *feared that the majority against the Treaty will be broken to pieces by lesser & collateral differences*. Some *will say it is too soon to take up the subject before it is officially presented in its finished form*; others *will then say it is too late*. The opportunity of *declaring the sense of the House in the answer to the speech was sacrificed to the opinion of some from whom more decision was expected than will be experienced towards an immediate consideration of the subject by itself*. The *truest policy seems to be, to take up the business as soon as a majority can be ascertained; but not to risk that event on a preliminary question*. What the *real state of opinions may be, is now under enquiry*. *I am not sanguine as to the result*. There is a clear *majority who disapprove the Treaty*, but it *will dwindle under the influence of causes well known to you; more especially as*

*the States*, instead of *backing the wavering*, are themselves *rather giving way*. *Virginia* has indeed *set a firm example*; but *Maryland, North Carolina, & New Hampshire*, have

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*counteracted it, & New York will soon follow with some strong proceedings on the same side.*

I am glad to find *by your letters that Fr, notw the late Treaty* , continues to be friendly. A magnanimous conduct will *conduce to her interest as well as ours*. It must *ult baffle the insidious projects for bartering our honour and our Trade to Br pride & Br monopoly*. The *fifteenth article of the Treaty* is evidently meant to *put Br on a better footing than Fr & prevt a further Treaty with the latter*; since it secures to *Br, gratuitously, all privileges that may be granted to others for an equivalent* , and of course *obliges Fr* , at her sole expense, to include the interest of *Br in her future treaties with us*. But if the *Treaty should take effect* , this *abominable part* will be of *short duration* , and, in the mean time, something may perhaps, *may be done* , towd. *disconcerting the mischief in some degree*. You will observe a *navigation act is always in our power*. The *article relating to the Mississippi* , being *permanent* , may be *more embarrassing* , yet possibly not *without some antidote for its poison*. I intended to go on in Cypher, but the tediousness obliges me to conclude the present letter, in order to seize a conveyance just known to me. Mr. R's pamphlet is just out. Mr. Tazewell will send that & several other things collected for you by this conveyance. Pickering is Secretary of State—Chs Lee Attorney Genl.; no Secy. at War. The Senate have negatived Rutledge as chief Justice. Mr. Jones keeps you informed of your private affairs.—He & Mr. Jefferson are well. I have just recd your two favors of Octr 23 & 24, with the accompaniments, by Mr. Murray. The articles have probably not arrived in the same ship, as Mr. Yard has no information from N. Y. thereon. Accept from Mrs. M. & myself ten thousand thanks for your & Mrs. Monroe's goodness, which will, as generally happens probably draw more trouble upon you. Mr. Yard & Mrs. Y. well,—Your friends at New York so, too.