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|-----------------|----|---|
| South-Carolina, | 0 | 5 |
| Pennsylvania, | 9 | 4 |
| Virginia, | 16 | 3 |
| North-Carolina, | 9 | 1 |
| Georgia, | 1 | 0 |
| Tennessee, | 1 | 0 |
| Delaware, | 0 | 1 |
| Vermont, | 1 | 1 |
| Maryland, | 4 | 4 |
| New-Jersey, | 3 | 2 |
| Rhode Island, | 0 | 2 |
| New-York, | 6 | 4 |
| Kentucky, | 2 | 0 |

It was then in the power of any one member of the states of Georgia, Tennessee, Delaware, Vermont, Maryland and New-Jersey to change the vote of his state. The vote of each of the eighteen members for these states was equally important. There was no superior importance attached to the vote of Mr. Claiborne or Mr. Linn—the only person on the list who have been appointed to office. Here is an exception of 16 out of 18. What degree of truth, sir, is there in your declaration? In the states of Rhode Island, New-York and Kentucky, the vote of each member was equally important, for by the change of a single vote, the vote of the state would have been divided and lost. The 14 members who voted for these states stood on equal ground. The vote of Mr. Livingston was not more important than the vote of Mr. Morris, of Vermont, or Mr. Davis, of Kentucky, or any other member of the states—yet Mr. Livingston is the only one of these who has been appointed to office. Here too is an exception of 13 out of 14, instead of "every man on whose vote the election hung;" instead of "scarcely an exception." The fact is, Messrs. Livingston, Claiborne and Linn were decided republicans—their votes on this occasion were in conformity with their avowed principles; with the whole course of their political career, and according to the just expectations of the citizens.

But, sir, it is your wish to destroy the well founded confidence of the people in their executive. It is your wish to furnish means for wicked men to poison the minds of the uninformed. It suits you to ascribe the appointment of three gentlemen out of thirty-two, standing on equal ground, to base corruption in the executive and in themselves; not to their fitness for the offices; nor to their talents and integrity, which first recommended them to the people and afterwards to the President.

Whatever unpleasant feelings may be excited by the remarks and questions which follow; in your case, you will acknowledge they are a just punishment for a long time to destroy the reputation of our first citizen; who never before was accused of an immoral act. By your indirect charges and insinuations against him, you have not only put your own reputation for truth farthest at hazard, but you have also rendered necessary a public examination of your own conduct during that memorable election. This examination shall be had. An impartial public will decide on your character justly.

On the 13th of December, the equality of the electoral votes was known at Wilmington, where you then was. You there declared repeatedly and unequivocally, to different persons who will attest it, that the intentions of the people were so clear and manifest in favor of Mr. Jefferson, that you should not hesitate to vote for him. On the second of January, you took your seat in the house of representatives, assumed a myrtle leaf deportment, and declared yourself a member party. Different opinions were formed respecting both your conduct and motives. Some thought you was about to join the forceful party; others, that you was a market for the highest bidder. You received no offers from Jefferson or his friends; neither had you any thing to expect from the vice-president. They were too just to betray the confidence of the people, and too wise to be betrayed by any allurement. The last hope of your fallen party was to prevent an election, to deprive the people of the man of their choice and impose an usurper on them, under the plea of necessity. This was a bold undertaking. Great inducements are necessary to lead a person to incur great risks. The time was pregnant with events—prompt and decisive action every day became more and more necessary. At length the garb of misery was laid aside—You threw yourself once more into the arms of your quarrelsome party—You no longer perceived the intentions of the people—You forgot your declaration; declared yourself opposed to Mr. Jefferson; became the most bitter and active man, intriguing and practicing every artifice to strengthen your party.

The late President had obtained an opinion from certain law characters; that congress might authorize him to perform the executive duties until another election; when by he would be certain, as he thought, of his election for a time, and gain one more chance for a re-election. Time, sir, discloses truth, & not infrequently the principles of action. After you had given your vote against Mr. Jefferson, and before it was decided that either of the candidates would be elected, on the 13th day of February you was nominated by the President, Minister Plenipotentiary for the court of France. This was not considered a sufficient compen-

sation—Your father-in-law, Mr. Bassett, was complimented with a midnight appointment; he was created a judge of one of your new-fangled circuit courts. I make no charge against you. I will only ask you a few plain questions; how did it happen that you and your father-in-law should have remained so long unnoticed by the executive—and yet should have acquired so strong an interest, as to monopolize at a blow; more honors than have ever been enjoyed at a time by any family in the union? How came the spring-tide of presidential favor to flow in upon you at this moment, while your party was struggling to prevent the choice of a president; and Hillhouse was preparing a bill to authorize an Ulster to govern us? How could that clear evidence which operated so powerfully at Wilmington become so inoperative at Washington? When, to assume your principles, you knew one of the candidates must be elected, and had nothing to expect from either, how came you to allow yourself to be nominated as minister to France? Did you want the reputation of being dismissed from office by the new president? If so, why did you decline, & not gain the laurel you desired? If you did not know of the nomination, why did you not decline the appointment as soon as it was known? This would have removed some of the doubts which hang over these transactions. It would have saved the nation a considerable expense, which as an economist you must desire; for so confident were your party of preventing a choice, and of holding the government against the will of the people, that the late administration prepared the Maryland troop of war, laid in stores and embarked the compliment of men to transport you to France. The very provision which that administration had furnished for your accommodation was enjoyed by Mr. Dawson, who was sent with the treaty. Yet you and your party have charged Mr. Jefferson with a want of economy in bestowing so much expense on Mr. Dawson, while the expense was incurred by the late administration, and the only question for Mr. Jefferson to decide was, whether all this expenditure should be a dead loss to the nation—the ship remained in port, and a passage purchased for Mr. Dawson, or whether he should make such savings from these lavish expenditures, as the face of the case admitted—he wisely preferred the latter.

But, sir, you did not decline, you maintained the struggle, until the frowns of an insulted and injured country, fringed eyes from your hold designs. You gave no vote on the issue of that struggle. In silent rage and mortification you withdrew—the impious countenance of the nation did not bring to your recollection any portion of that evidence which produced conviction at Wilmington. When that scene was closed which threatened destruction to the liberties of the country, and not before, you modestly declined the appointment.

There are some who think that these questions are solved by the consideration that you held at your sole will the vote of a state. I must trouble you, sir, with one more question. It is of the greatest importance one, that you may feel a delicacy in answering, and yet of a nature, not to remain unanswered. One which, if I put wantonly to excite jealousy, or to wound your sensibility; the single act is sufficient to forfeit the esteem of good men. It is plainly this—did you, or did you not attempt, in person, during that election, to influence some one or more of the members of Congress, who was or were friendly to Mr. Jefferson, and to induce him or them to vote for Mr. Burr; and did you or did you not, offer to each member of members, any office under the government, which he or they might desire; did you say you had an authority for so doing—and some days after, when you found that principles would not be deserted for office, did you deny having any such authority?

The continuance of our correspondence, may depend upon your answer to this question.

This is not meant to cast any shade over the character of the Vice-President; his conduct during the whole struggle, was correct. It was highly honorable to his country and to himself. During those scenes which convulsed the nation; which threatened an example of the awful vengeance of a people insulted by and offended with their own laws; Mr. Jefferson through delicacy, remained a silent spectator. Strong in the confidence of the people; still stronger in the consciousness of his integrity; he declined to stoop to the arts of a candidate; he made no promises; he flattered no one. And, sir, when in honorable gentleman of your party, pressed him to declare his political tenets in certain points, and assured him it would produce an immediate decision in his favour—he firmly replied, "That his public and private life were the only pledges of his conduct, and that he would not enter the government upon terms, or under obligations to any one."

What, sir, becomes of your denunciations against the President? Against whom, if any one, do reasonable ground of jealousy exist: against Mr. Jefferson who has appointed three gentlemen to office out of thirty-two on equal ground, men of character and distinction, who then enjoyed, and now enjoy

public confidence? Against those gentlemen for receiving offices, after voting in favor of Mr. Jefferson in support of opinions and principles which they had maintained for years? Or against you, who declared at Wilmington, that you should not hesitate to vote for him, and afterwards at Washington voted against him; and while you was yet voting, received a foreign appointment and procured for your father-in-law a judgeship?

Sir, the principles you urge, to destroy the reputation of Mr. Jefferson, would equally apply to all who advocated his election; or, in other words, to the body of the people. A doctrine to be sure extremely unjust and absurd, but very convenient to a fallen party. When your situation is considered, it is not strange, however, that you should be overcome with passion. By the change of administration you lost the rank and emoluments of a minister plenipotentiary, and the bill you was opposing when you fulminated your denunciation, removed your father-in-law from his judicial station. The fruits of all your labour are torn from you; your services in eighteen hundred and one, remain as they are likely to, unrewarded. Pity and compassion for your disappointments, take place of resentment and indignation for your audacity and base calumny.

You introduced Mr. Lyon, and say it was too much to give an office to him, his son has been handsomely provided for. Would you, sir, insinuate that Mr. Lyon was bribed? Have you already forgotten his inflexible support of the principles of Mr. Jefferson and his known attachment to him for years before? Have you forgotten that for this you personally denounced him? Have you forgotten the cruel persecutions heaped upon him, and his sufferings in the dead of winter without fire in one of your federal Billies? Could you expect a man of his firmness, who had endured every thing in the days of Terror and Calumny, to join his persecutors and desert his friends in their day of prosperity? Young Mr. Lyon was a promoter of a magazine and several newspapers, when Mr. Jefferson came into administration—He is now a clerk in one of the public offices at one of the lowest salaries—he would at that time have rejected such an offer. By extending his business too far he involved himself—relinquished his pursuits, and took a little slip to give bread to a young family until something more worthy his talents should present itself. This, sir, is what you call "handsomely provided for," and what you insinuate was the price of his father's vote. Proceeding in your invective and calumny you say, "This catalogue might be swelled to much greater magnitude, but it might be supposed you meant to tarnish the fame of the present chief magistrate or any of the honorable gentlemen who have been the objects of his favor." Hypocritical tenderness! Viper like friendship! It is known you meant to tarnish their fame—it is as well known that their reputations stand too high to be wounded by your slander. It is time for you to change from attack to defence—your own reputation requires some attention. The public expects you to account for your conduct. But, sir, that the public may judge of the truth of this declaration, and your motive in making it, I deny your assertion. It is unfounded and not warranted by fact. Come forward; complete your list. For once kind, sir, say aside your tender concerns for the reputation of Mr. Jefferson, and for the preservation of your own, tell the public the worst you know of him.

Perhaps you may think the offer of the Navy Department to general Smith may be useful. Reflect a little and you will find he did not wish either that or a foreign embassy, or the office of judge. He therefore was not bribed by either. You have impeached Charles Pinckney's appointment in your service, yet so is the public and you know that he gave no vote on the election.

If those who promote an election should not be selected for office; then the government should be in the hands of the minority, and their will the rule of action. This is logic from the same school that taught us the blessings of a national debt; of a standing army; of common law crimes; of a sedition act; of an herd of official sycophants; and of a system of government founded on executive influence alone. Does not deep seated malice sometimes wrap herself up in the cloak of charity, or tenderness?

It is proper to pay some attention to the three appointments to which you have particularly referred, and to make a comparison between the present officers and those lately in office. Mr. Linn is a gentleman of an amiable, honest and regular character; he has long been a member of the councils of New-Jersey and was elected by the whole state a member of congress. Mr. Dan, who was dismissed, is the reverse. Irregular in his life; regardless of marriage connections, yet with a large family of children; and delinquent in his public accounts. A complaint against him was made to Mr. Adams, who had determined to remove him as soon as he could select a successor.

Mr. Claiborne is a gentleman distinguished for his fidelity and attachment to the constitution and government of his country, one who boldly advocated, in support of the people of the Mississippi territory when there was no

prospect of a change in administration. This encouraged him to that people. Their legislature have unanimously absolved him of their high confidence and returned their thanks to Mr. Jefferson for appointing him their governor.

Mr. Sargeant, while governor of that territory, by abusive and unlawful exactions of fees for official acts, had alienated the affections of the people. They had listed their grievances to congress and prayed for his removal. A committee, of which you was a member, had reported that Sargeant had, with the judges, illegally usurped the power of making laws; and had been guilty of abusive and unlawful exactions of fees for official acts; but that he meant no harm and therefore there was no cause to proceed further against him! There was virtue in congress sufficient to save the nation from the disgrace of uniting in your conclusion. The legislature of that territory have, by an unanimous vote, borne testimony against the conduct of Sargeant and returned their thanks to the President for refusing to renew his commission. What stronger confidence, sir, could exist of the sound discretion of the executive, and his solicitude for, and attention to the interest and feelings of the people?

The only comparison which remains to be made is, between Edward Livingston and Mr. Harrison. The former is well known for his bold and eloquent speeches in defence of the constitution and liberties of his country; the latter is as well known for adhering to Great Britain during our revolutionary war; for refusing to take the oath of allegiance to the United States at that time; for being banished from this country and sent within the British lines by the governor of New-York; for aiding the British and discharging the duties of an office derived from the crown of Great-Britain; for being restored to the rights of citizenship by special act of the legislature of New-York; for joining the present party and persecuting every republican; for being recommended for office, to a late administration, by this train of meritorious conduct and services; and for actually receiving that office, and as public prosecutor, grinding the wretched victims of the sedition law.

How could you be so unfortunate as to call in the appointment of chancellor Livingston to be ambassador to France? Did it never occur to you that the public might draw a comparison favorable to the present administration, and unfavorable to the past, by consulting the character of that venerable and great man, whose reputation for talents, virtue and patriotism, is established by a life of great and good acts, and acknowledged in Europe and America, with your own character, which is of yesterday, distinguished only by your short lived triumphs, while you "rode in the whirlwind and directed the storm," of federal madness? Did you not fear that a cool, dispassionate people, would attribute your impotent hostility and unfounded abuse of the President, to your loss of that very embassy? That, sir, is the wound which afflicts and torments you. That roused you "to what your bloody dagger, and tear out the bowels of your country!" expellment omitted, when your speech was prepared for the press.

A few words respecting the late election of a President and Vice-President, and then I will take my leave of you, till you condescend to favor the public with your "swallowing it," or to answer the important question submitted to you. By the parole declarations of election, it has been ascertained, that Mr. Jefferson had 73 votes for president; Mr. Adams 65, Mr. Pinckney 64; and Mr. Burr 33, for Vice-President. Those for Jefferson and Burr, are stated as they were then publicly avowed by the electors. "Here appeared one of these strange facts, which every body knows, and no body can prove; all knew that Jefferson was the object, yet none could prove it so," constitutionally. But does that prove, that Mr. Jefferson was not the people's choice, when his choice is manifested by the voice of the nation, and the unequivocal declaration of the electors? Will you, sir, in preference of the American people, declare that a single vote was given for Mr. Burr, with a view to place him in the Presidential chair, over Mr. Jefferson? Mr. Jefferson, sir, had no occasion to deviate from that integrity and firmness of conduct, which had marked his journey through life, and highly recommended him to public confidence. No one feared Mr. Burr would quit the high ground, on which the public will had placed him, and attempt to occupy the place by that same public will assigned to Mr. Jefferson.

No, sir, this was not calculated for, it was not within the circle of your wishes, it was not of the plans of your party; their object was to prevent any choice—to force upon the people an usurper. But your army was disbanded, part of your fleet was dismantled, your Sedition Law was expiring, the national spirit was roused. It spoke in words of thunder. It would be obeyed. Your party retreated from the conflict, they retreated behind a political judiciary created for that purpose and justified on the pretence of the people. That fortress also had fallen into ruins; and thanks be to God, there no longer exists a hope for a party, who had flamed a rebellion on the character of this rising Republic.