

The RALEIGH MINERVA.

PUBLISHED (WEEKLY) BY WILLIAM BO

[Or 2,50 in advance.]

RALEIGH, (N. C.) THURSDAY, JANUARY 4, 1810.

No. 718

dols. a year,]
Vol. 14

MR. JACKSON'S DISMISSAL.

correspondence between our government and Mr. Jackson has been submitted to the consideration of the American people. It should be borne in mind that the first and most important enquiry to be made, is whether the conduct of his Britannic majesty's minister has such as to justify administration in the violation of redress, which they had the power, and were thought fit, to adopt.

relative merits of the pretensions set up by our governments as unfolded in the course of the negotiation, and the propriety of the minister's disposition, form the basis of two substantive and distinct considerations. Correctly to conceive and state the motives of our cabinet in assuming the present attitude, the two enquiries must be separate and apart. A disposition has already been betrayed to commingle and confound them. To lose sight of the main and original object of investigation, is an error which the unwary will be easily led into, and the interest of the public will induce them to produce misconceptions and propagate misrepresentations to fore-see the public opinion.

shall be our purpose at this time to avoid any confusion of the comparative manifestations given by two governments of a disposition to reconcile their unfortunate differences. Whatever opinion may be formed by us after mature deliberation, we shall promptly and fearlessly express; and the point of order and immediate interest of the nation will be postponed until we examine the policy and policy of Mr. Jackson's dismissal.

of the press and the liberty of speech still fresh in all their characteristic and republican principles. The repeated attempts which have been made by intoxicated demagogues, to silence freedom and abridge the rights and privileges of the people, have been met with an unextinguishable and manly spirit of resistance, which has defeated them. The friends of liberty and of a free government have so far triumphed over the advocates of illegal violence and the advocates of tyranny, and thus have our laws and our rights been preserved. It would not be fitting to see who have borne the brunt of persecution shrink from danger and responsibility, or to see fear or indecision at a crisis like the present. Our heads may lead us into error, but our hearts beat high with conscious purity and patriotism, we disdain to make cold calculations of consequences, while we follow their dictates and the lights of our own judgment. It is recollected that although we fall with our country, they do not sink with us; and hence there can be no just grounds of complaint if we should fail to please every federalist and upright course we shall pursue.

our cabinet supported by FACT, or justified by LAW and POLICY in dismissing the British minister? The people are called upon to decide this question. The case is before them, and they are called to decide.

originating or supplying remedies," disapproved enlightened statesmen will always measure the injury, if any, sustained, by the criminal codes of all civilized nations, and those laws are denounced as incompatible with the rights and benefit of man, which the most violent punishments, to the most offences. Those gradations are rigidly observed also in the rules which regulate the conduct of individuals even in private life; and what accumulated force do they apply and they to prevail with those who undertake to the desires of a great community? In circumstances usual and peculiar they sometimes be dispensed with, but even they must be rendered strongly applicable in emergency, and the frightful consequences of a dispensation should be prepared for.

ground of disagreement between Mr. Secretary and Mr. Jackson, which terminated in his dismissal, is an insinuation by the latter, that the former, was acquainted with the "conditions" contained in Mr. Erskine's instructions of the 23d of January, under which instructions a power was given to make, in conformity with the arrangement afterwards disavowed, an insinuation Mr. Smith repels, with an assertion that the government had no knowledge of the instructions, and that Mr. Erskine was exceeding his instructions, at the same time admits that he (Mr. Smith) was acquainted with the "conditions" contained in the instructions. From the following extract from Mr. Smith's letter of the 19th October fully appears.

It is, that your predecessor did present to the consideration the three conditions which appear in the printed document. It is, then, an official and express acknowledgment that the secretary of state was acquainted with the "conditions" contained in Mr. Erskine's instructions, anterior to the conclusion of the negotiation, and that the government would not have made the provisional agreement if they had known that it would not be ratified. Now the opinion is that they never would have made an agreement of France, if they had not known that it was in violation of instructions, and would have been disavowed. But the secretary admits knowledge of the conditions. We repeat, then, is to be thought of the insinuation? It is to be got rid of by a quibble? Will Mr. Smith pretend that his knowledge of the condi-

tions, does not necessarily include the knowledge of the government? Will he attempt to separate himself from the government? The secretary of state, in a negotiation, is identified with the government, and information officially imparted to him, is considered as communicated to the government. If he think proper to suppress and conceal information officially communicated, for the purposes of intrigue and corruption, he is guilty of a misdemeanor which involves the veracity and good faith of our government. For such conduct a Secretary may be impeached.

In addition to Mr. Smith's confession of the fact, we have from under the hand of Erskine, that those conditions were made known, and that two of them were assented to—as will appear by the following extract:—
"I consider it, however, to be my duty to declare, that during my negotiation with you, which led me to the conclusion of the provisional agreement, I found no reason to believe that any difficulties would occur in the accomplishment of the two former conditions, so far as it was in the power of the President of the United States to accede to the first, and consistently with the explanation which I have before given to the second point. On the contrary, I received assurances through you, that the President would comply (as far as it was in his power) with the first condition, and that there could be no doubt that the Congress would think it incumbent upon them to assert the rights of the United States against such powers as should adopt or act under the decree of France, as soon as their actual conduct or determination upon that subject could be ascertained—but that in the mean time, the President had not the power, and could not undertake to pledge himself in the formal manner required to that effect."

The whole of the letter of which the above extract is a part, excepting the paragraph containing the extract, was revised and altered by the secretary of state, to suit his own palate. So completely had Mr. Erskine been seduced, that even his correspondences were submitted to Mr. Smith for revision. We state this as a fact, known & publicly talked of at the city of Washington, which Mr. Smith will not deny, and if he do, it can be proved. The extract which we quote, was not in the letter when Mr. Smith perused and corrected it. The conscience of the minister peradventure smote him, and he afterwards added the above paragraph, disclosing information which it was concerted to conceal. This no doubt took the secretary by surprise; but what was done in a formal diplomatic form could not be undone—so the cat was let out of the bag.

If we turn to the President's message, it will seem that he disclaims all knowledge of the instructions of January, and yet by the above extract it appears that the faith of the President was pledged to the performance of one of the conditions. We mean no impeachment of veracity. We wish the people to read, compare, and reflect. There are corrupt rulers in all governments, and God knows we have had our share of them of late; therefore we must keep our eyes closely turned towards our great men.

But touching this *aseveration*, that government never would have concluded the arrangement unless under a belief that it would be ratified—Mr. Smith admits a knowledge of the conditions; and Mr. Erskine states that the President promised to perform one of them. Well what is a condition? Does not the performance of a condition proposed by England, imply concession on our part? A condition is a promise to do something in consideration of something performed as preparatory to it. That previous or preparatory something was known to our government, because it constituted the condition itself, and yet our government knowing that the performance of something on their part was an indispensable prerequisite, acceded to an arrangement made in express contravention of those very conditions thus constituted and communicated, and the bare "insinuation" of the fact is made the plea for dismissing a minister, and exposing us to a war.

The first insinuation of Mr. Jackson, is contained in the following passage from his reply to Mr. Smith's first note.
"It was not known when I left England, whether Mr. Erskine had according to the liberty allowed him, communicated to you *IN EXTENSIO* his original instructions. It now appears that he did not. But, in reverting to his official correspondence, and particularly to a dispatch addressed on the 26th of April to his majesty's Secretary of State for Foreign affairs, I find that he there states, that he had submitted to your consideration, the three conditions specified in those instructions, as the ground work of an arrangement which, according to information received from this country, it was thought in England might be made, with a prospect of great mutual advantage. Mr. Erskine then reports *VERBATIM ET SERIATIM* your observations upon each of the three conditions; and the reasons which induced you to think that others might be substituted in lieu of them. It may have been concluded between you that these latter were an equivalent for the original conditions; but the very act of substitution evidently shows that those original conditions were, in fact very explicitly communicated to you, and by you of course laid before the President for his consideration."

Which you of course communicated to the President. This was wormwood to the Secretary. The suspicion had lighted upon him, that he had not communicated the dispatch of January to the President. He considered this as a side blow at him. Hence the original offence, and if Mr. Ma-

dison did not write the whole of the letters, the asperity in some of them.
The next insinuation is in Mr. Jackson's letter of the 23d of October, in the following words.
"You are already acquainted with that [instruction] which was given, and I have had the honor of informing you that it was the only one by which the conditions on which he was to conclude were prescribed. So far from the terms which he was actually induced to accept having been contemplated in that instruction, he himself states that they were substituted by you in lieu of those originally proposed." See the extract given above from Mr. Erskine's letter.
Is there any insult here given to our government? Is the lie here given? Is there any impeachment of veracity? Is offensive or indecorous language used? No, unless the re-assertion of a fact appearing in Mr. Erskine's letter, and afterwards admitted by Mr. Smith, is offensive. But let us see in what language Secretary Smith replied to this part of Mr. Jackson's note.
"I abstain, sir, from making any particular animadversions on several *IRRELEVANT* and *IMPROPER* allusions in your letter, &c.
Although the Secretary of State may think "the King of England is in his dotage," and "the government upon the eve of dissolution," is it expected that a minister of a great and powerful nation would tamely receive a reproach which the most petty state in Germany would have considered a disgrace to her representative? Irrelevant and improper. If this among diplomatic men be not considered indecorous, their ideas vary very much from those of private gentlemen. This is the only expression in the whole correspondence that will warrant a charge of *indecorum*, about which, and *aggravations* and so forth, we heard so much in the National Intelligencer. The following is Mr. Jackson's reply to it.
"Where there is not freedom of communication in the form substituted for the more usual one of verbal discussion, there can be little useful intercourse between ministers, and one at least of the epithets which you have thought proper to apply to my last letter, is such as necessarily abridges that freedom.—That any thing therein contained may be irrelevant to the subject it is of course competent in you to endeavor to shew, and as far as you succeed in so doing, in so far will my argument lose of its validity—but as to the propriety of my allusions, you must allow me to acknowledge only the decision of my own sovereign, whose commands I obey and to whom alone I consider myself responsible. Beyond this, it suffices that I do not deviate from the respect due to the government to which I am accredited."
This was followed by the dismissal of Mr. Jackson. So ended the dispute between the Secretary of State and the British minister. It was cut short by a knocking down argument.
Some say that on both sides the correspondence was severe and uncourly, but certain it is that whatever there is of *indecorum* and severity of manner, appears by the letters themselves and the quotations given, to have commenced on the part of Secretary Smith. We appeal to the liberal and enlightened of all political denominations whether there is any thing in the letters published to excuse our government for dismissing a minister. The history of revolutionary France can scarcely furnish a parallel to the act; and we know not how to account for the unprecedented measure, after winking at the indignities offered to our minister in France, and after her minister and those of other nations have been rude and overbearing here, unless it be in designed coincidence with French views and policy. Europe will so judge of it, and those who have studied the character and become acquainted with the views of the French faction in this country, will not be at a loss to ascribe it to its true motives. May providence avert the calamities which it was designed and calculated to bring upon our devoted country!

From the commencement of the revolution in France, it has been easy to see views of aggrandizement, and the seeds of ambition, in the proceedings of the French, their declarations to the contrary notwithstanding. In speeches in the legislative assembly, and speculations published in their newspapers, they frequently maintained the principle that France and England, united, could conquer the whole world. After the war between England and France commenced, they ascribed to themselves the power of conquering the world; and the course they were to pursue was pointed out by their bold politicians. One of the most powerful nostrums by which this conquest was to be effected, was the famous decree of the 19th of November, 1792; by which they declared they would assist any nation which was desirous of effecting a revolution. Flanders accepted their services, and they kept Flanders. Holland also admitted them into her bosom, and they kept possession of Holland. But these examples were not sufficient for Italy—the Italians had a wish to taste the benefits of French liberty—and accordingly the French overran and kept possession of Italy. A majority of the Swiss took a fancy to the blessings of French liberty—therefore the fraternal hug was extended to Switzerland. The word liberty has proved a talisman in the hands of the French as powerful as the Caduceus of Mercury; every thing has given way to it—and it still has considerable influence in Germany, and paralyzes the noble efforts of the Emperor of Austria, in the cause of German independence.

But how is England to be destroyed? Offers of liberty and fraternization have been tried in vain; nor has success attended the threatenings of the *bonnets rouges*, the exertions of fleets and armies, or the menacings of gun-boats and invasions. To all the schemes and exertions and attempts of Bonaparte, the British navy presented an impregnable barrier, and rendered it necessary for him to seek out a new invention. Bonaparte is never at a loss for expedients, and he has invented a new charm for the maritime nations, which is comprised in five words, "the Freedom of the Ocean." This was enough—the Russians and Danes shouted, "The liberty of the seas forever!"—and the American Jacobins shouted, "Huzza for the liberties of the Ocean!"

But these words and phrases have no other meaning than the shouts for the liberty of the land, formerly uttered by the Flemings, Dutch, Germans, Italians and Swiss. Bonaparte uses them merely for the purpose of bringing the ocean under his control. If he intends the ocean shall be free, why does he act in direct opposition to that freedom, on all occasions? He has cut off our trade between his own and British ports, which was guaranteed to us by a treaty signed by himself; seized our ships and cargoes, and sequestered our property, in direct violation of the treaty and the law of nations; burned our ships and cargoes, which were carrying on a lawful trade upon the high seas; subjected our vessels to capture and condemnation, for suffering them to be boarded by British men of war, which we could not possibly avoid; he has obliged the countries under his dominion, such as Holland, Italy, Denmark, &c. to adopt his decrees against us; blockaded whole nations against us, without a single ship of war to enforce his blockade—prohibited, as far as was in his power, our intercourse with the British dominions; imprisoned our seamen, &c. &c. &c. Hence it is evident that by the "Freedom of the Seas," Bonaparte means that he is to have the "Freedom" to destroy the trade of all nations except his own. He has caused all the trade of Russia, Denmark, Prussia, Austria, Holland, Italy, the Hanse Towns, &c. to be utterly destroyed, and it was he that caused our trade to be entirely at a stand for about 16 months. It is also wholly owing to the existence of his decrees that we are now "encumbered with too much regulation," and shackled with non-intercourse laws."

The advocates for the "freedom of the seas," have never undertaken to give us a definition of the term. They dare not; as they know it to be merely a cant phrase, invented to cheat and bubble the world.—Let Bonaparte get possession of England and the British navy, and he will then have a new term. We shall then hear of "THE PEACE OF THE OCEAN;" and in order to secure that peace, he would prevent any other than the French flag from appearing on the ocean.—"France wants ships, colonies and commerce"—and the Emperor of France would take care there should be no commerce where France has no colonies; Bonaparte, and the French in general, are extremely ignorant of the vast power and resources of the British nation; but he will, in the course of a few years, discover that she is not to be conquered by all the commercial restrictions, interdictions, embargoes, or other schemes which Bonaparte, or even Mr. Jefferson, is capable of devising—and when he has fully made that discovery, it will not be at all surprising if he should offer to deliver up the executive dominion of the ocean to her, in case she will guarantee to him the dominion of the continent!

From the Massachusetts Spy.
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But French liberty had no charms for Spain and therefore other means were contrived for alluring her into the snare. Divisions in the Royal Family were produced—and Bonaparte extended his fostering hand to Spain, in order to heal those divisions. The Spaniards were to come under the yoke for their own benefit. Many of them have been disposed, by bribes and intrigues, to accept the proffered boon. But England is a thorn in the side of France, and England must be destroyed—for she has retarded the conquest of Spain, and checked the rapid march of the great empire to universal dominion.

But how is England to be destroyed? Offers of liberty and fraternization have been tried in vain; nor has success attended the threatenings of the *bonnets rouges*, the exertions of fleets and armies, or the menacings of gun-boats and invasions. To all the schemes and exertions and attempts of Bonaparte, the British navy presented an impregnable barrier, and rendered it necessary for him to seek out a new invention. Bonaparte is never at a loss for expedients, and he has invented a new charm for the maritime nations, which is comprised in five words, "the Freedom of the Ocean." This was enough—the Russians and Danes shouted, "The liberty of the seas forever!"—and the American Jacobins shouted, "Huzza for the liberties of the Ocean!"

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PUBLIC NOTICE.

The annexed memorandum of Notes were either Lost or Stolen from me, at or near Beatty's Ford, on the Catawba, on the 9th day of October, 1809.—viz:
1 note of £10 Sterling on Robert Kennedy about 16 years due
1 £10 on Eben Snelbe, 15 years due.
1 £6 on Charles Alexander, 15 years due.
1 5 dols. on James Porters, 3 years due.
1 98 dols. on Matthew Hart, 1 year due.
1 12 dols. on William Young, Senr, 2 years due.
1 7 dols. on Capt. Stephen Alexander, 3 years due.
1 269 on Samuel Hogghead, 6 months due.
1 12 dols. on David Rees, 4 months due.
1 14 on John Gardner, 6 months due.
1 40 on James Harris, Indian Land, South-Carolina, assigned to me by Robert W. Harris, near 3 years due.
1 80 on Nathan Orr, assigned to me by Nathan Beatty, about 3 years due.
1 18 on William L. Davidson, about 3 years due.
1 Also an account of 6 dols. for labour done him.
1 A bond against Ezekiel Porter, for 350 acres of land in the State of Kentucky.
1 A proven account against the estate of William D. Crawford, for 96 dols. near 3 years due.
1 1 note of dols. 25 on John M'Neely, Irredl, assigned to me by Ephraim Pucker, about 3 years due.
1 Also 2 paper packets, books tied together with a buckskin strap.
The above publication is therefore to notify the public, that I do hereby forwarn all persons from trading for said notes, bonds and accounts, given under my hand this 17th day of December, 1809.
WILLIAM PORTER.

BLANKS

Of all kinds, for sale here.