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EXTRACTS FROM THE CIRCULAR LETTER OF MR. STANLY, REPRESENTATIVE IN CONGRESS FROM NEWBORN DISTRICT, TO HIS CONSTITUENTS.

During all their discussions of substitutes for non-intercourse a simple repeal of that law frequently, though unavailingly urged: a majority still insisted on a substitute. Mr. Macon's bill, no. 2. This bill also proposed to exclude the public ships of Great Britain from our waters, and to repeal the non-intercourse: but it provided that in case either Britain or France should, prior to the 4th of July, 1811, repeal their decrees and orders, or modify them that they should cease to violate the rights of the U. States, that then upon the President's proclamation of such an event, the laws of the non-importation and non-intercourse should after three months be revised, and force against that nation which persisted in decrees or orders. This bill also had its merits, who perhaps considered permission to trade freely with both nations as resistance to the policy of Mr. Macon to say that although as chairman of the committee required to report this bill he did not advocate or support it. Whilst this bill was before the house a caucus of the democratic members was held. This caucus is a private meeting of a party, in which particular measures are discussed and determined on for reasons which do not admit of being disclosed in public. The dilemma in which the democratic party now placed, the public good requiring an immediate repeal of the non-intercourse: and an amendment of the system, by those who had imposed and obstinately persisted in keeping on, amounting to a confession of the inefficiency of existing measures and of their own inability to devise others—in other words, to save the country an immediate repeal of the law was demanded; but to save the party a caucus was wanting, a caucus was determined the next day, when the bill, No. 2, was passed, the work of the caucus was produced, moved to amend the bill by inserting a clause increasing the existing duties upon all British and French produce and manufactures, 50 per cent. Thus, sugar, molasses, coffee, spirits already pay a tax equal to one half of their cost; and cloths, linens, muslins, blank-manufactures of iron and steel, and other articles which are necessities of life and which the consumer can buy cheaper than they can make them are now taxed to 17 1-2 per cent on the whole these were to be charged with the enormous additional duty of 50 per cent.

There is no proposition more true than that the duties on imported goods pay the tax or duty which is imposed on them; thus, when the consumer pays the government the duty of 2 1-2 per pound on brown sugar, 5 cents per gallon on molasses, and 50 cents on a yard of coarse cloth, which costs in Europe 3 1-3 dollars—certainly adds this duty with a premium on it, to the price of the article and the farmer who buys it pays the duty. And in this way the democratic party, in their substitute had determined to resist the repeal of the non-intercourse by increasing the tax on the people 50 per cent! Extravagant as this measure was, little as you may see of wisdom or prudence in this self distressing measure, (full as our country is with goods, as our embargo and non-intercourse have proved) the bill, No. 2, was thus amended and passed the house of representatives. The senate again interposed the objection of their better judgment and struck out this clause.

This bill was also advocated on other and different grounds, by some as a means of obtaining revenue; since as they said an increase of duty must produce an increase of revenue. By others, on the opposite ground, that the heavy duty would drive foreign goods from the market and thereby encourage and increase the manufactures of the United States. I differ from these opinions not as to the facts on which they are founded, but as to the conclusion drawn from them. It is in the experience of every government that the violations of the laws increase in frequency as the temptations to violate them are increased; a moderate duty on importations has produced smuggling in every country and an exorbitant duty such as that proposed by this bill offering greater temptations in the increased profit of the adventures becomes in fact a premium for the encouragement of smuggling—and smuggling drives the country with goods to the profit of the dishonest adventurer, the injury of the business of the honest importer and the destruction of revenue. Hence results the political axiom, that two and two do not always make four. Since a duty does not certainly double, but may diminish the revenue: As regards the encouragement of manufactures by indiscriminate taxes on imports, I very much question its practicability and its policy—at least under the present circumstances of the U. States. Europe and in Asia land is scarce, and from the swollen population labor is abundant and the consequence is that articles of which the labor of manufacturing forms the principal part of the price, can always be made and sold at a lower rate than they can be afforded at in countries where labor is not abundant and therefore not so cheap. In the United States, circumstances are happily different—land is here plenty,

our citizens, ninety nine in a hundred of whom are farmers, enjoy the blessings of a chosen people, and the difficulty is not to find land, but to obtain labor to cultivate it.

"As every man requires for necessity or for comfort, or even for luxury many articles which he cannot make for himself, he buys them in the market of those who sell cheapest—and it forms no point in the consideration of any man however patriotic whom I have known, whether the article which is good in quality, fitted for his purpose, and cheapest, is made in this country or in any other.

"If any part of our citizens prefer manufacturing to cultivating the earth, there is nothing to prevent them indulging their preference, and if they make as good cloth, calicoes, linens, scythes, &c. and at as low a price as we can get them from Europe, we will buy them—but if their manufactures cannot come into the market on equal terms with imported goods even when these last are as at this time subjected to charges of freight and insurance and a duty of 17 1-2 per cent, increasing the duty for the purpose of heightening the price of the articles, that the imported goods may no longer be cheapest and thus no longer secure of preference, is, in fact, but taxing those who are agriculturists for the benefit of those who are manufacturers. And as it is already manifest that the increasing population of Pennsylvania and the New England states, has in a measure forced many of their citizens to manufactures, while our southern people fortunately less restricted, prefer agriculture, it is obvious that the operation of this heavy excluding duty, must soon be a tax on the southern states, for the benefit of our northern brethren."

"Such indeed is the dearth of capacity for business in most of the party, that the few individuals amongst them who are respectable for their ability find themselves incompetent to the difficult task of managing a machine in which the leaden weights are too numerous for its springs, or to conceal or excuse the dangerous errors and ruinous projects of their partisans. So notorious has this imbecility become that the democratic papers, their oracles of political wisdom have repeatedly advised their democratic friends, to elect men of more understanding or that their party is ruined.

"Would to God that the great body of the substantial yeomanry of the country, the planter, the merchant and the mechanic, could quit his plough, his warehouse and his shop, and visit congress in their session; that they might fairly judge of the competency of those to whom they have committed the helm of this mighty empire.

"The causes of this disgraceful state of things are, I repeat it sir, to be found in the blind violence of party spirit—from the over flowings of which, men thirsting for office, ambitious of its honors, or avaricious of its profits (as a torrent sweeps the fruits of the orchard and the offal of the barn-yard together) from the mere circumstance of swimming on the same current, imagine themselves converted into Statesmen—they keep alive that ferment of party, in which they have risen from the dregs of society, and without which they would again sink to their proper level.

"It is natural to enquire how is this deplorable state of our public councils to be remedied? The remedy is to be sought only in the candour, wisdom, and virtue of the people. In their choice of representatives let them be governed by that rule which guides a prudent man in the selection of his private agents; let them enquire "is he honest, is he capable, is he faithful to the constitution;" let them select for their service men distinguished for their virtue, their superior talents and proved attachments to the interests and government of their country; and discard from their favour the applicant whose leading claim to their attention is that servility which peculiarly fits him for a party tool.

"Then sir, we might confidently hope, that the councils of our beloved country would be again marked with wisdom, firmness and magnanimity. The shame of that disgraceful misconduct which has brought us to the verge of ruin at home, and to contempt abroad, might yet be removed. That scandalous waste and profusion in the army and navy, for enriching hirelings and multiplying dependents, would be reformed, and the people of the United States once more become happy and prosperous amongst themselves, and regain that enviable height in the view of foreign nations, from which we have of late been so rapidly descending.

"I ought perhaps to improve this occasion to give a more explicit and public answer to the enquiries of my friends in relation to my standing a poll at the next election, than I yet have.

"It has for some time been my determination not to be a candidate at the approaching election. It would be uncandid in me to say that I have formed this resolution without some regret; I am a stranger to that insensibility which would not prize the honor of representing so respectable a portion of my native state, as the district in which I reside. Nor am I so unmindful of those repeated proofs which I have received of the confidence of my fellow citizens, as not to be penetrated with feelings of the most grateful acknowledgement and respect, for their flattering invitations again to represent them. My determination to withdraw from my seat in Congress is founded on reasons too well known to my friends to need enumeration, and too interesting to myself and family to be disregarded. The obvious sacrifices of inter-

est and the deprivation of domestic happiness under which I have served in Congress, will be received, I trust, as evidence of my disinterestedness, and of my readiness to contribute, even under weighty disadvantages, the feeble efforts of my humble talents to the service of my country.

"I have the more readily reconciled myself to this resolution too, from a persuasion that under present circumstances I have it not in my power to be particularly useful to my constituents and from a hope that an opportunity will be afforded them of conferring their suffrages on a successor whose political opinions are in unison with my own, and whose ability to serve them is greater."

FROM THE FREEMAN'S JOURNAL.

LETTERS UPON FRENCH INFLUENCE. No. III.

TO THE PEOPLE OF THE UNITED STATES.
The constitution makes it the duty of the president, "From time to time to give to the congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." This duty Mr. Jefferson was not very much in the habit of performing. Or rather, like Mr. Erskine, he departed from the letter of his "instructions" to execute what he chose to deem their spirit.—The gun boat system, and the project of paying money to France, as the price of peace, under the pretence of purchasing Florida from Spain, were prominent instances of this policy. His conduct, in both those cases, will be reviewed at large, and with original illustrations, in future numbers. A better service to the interests of political truth, and of course to the "GOOD OLD UNITED STATES," can hardly be rendered. The review will involve a complete defence of the "republican minority," or democratic seceders from French policy, and will be followed by their acquittal of the charge, that their conduct resulted from impure motives, and was the consequence of disappointment.

The power to give information to congress, could not have been intended to mean the same as to withhold information from the people. This construction would evidently be contrary to the acknowledged theory of the constitution. It can never be too much insisted on, by real republicans, that the constitution is the act of "We the People," and that "to secure the blessings of liberty" forms the summit of the climax descriptive of the objects for which the constitution was ordained and established. The political system of our country was not calculated, by its authors, for the meridian of a region ruled by a "dark divan." It was meant for a realm of light and lustre. It was never intended that the president should be secluded in a "Seraglio" or shut up with "Cardinals in conclave." It was not contemplated that a weak, nerveless, but intriguing president, or any other president, with a small majority of obsequious partisans in the legislature, should shroud that venerable body in darkness, and force the minority to debate and act, week after week, and almost month after month, excluded from the light of popular communication; and almost from the light of Heaven. The framers of the constitution, clearly, did not contemplate any such thing as the communication of secret "information" from the president to congress, or they would have provided for the exercise of a power which they could deem no less important than that given to the two houses of congress to keep a secret journal.

But the president, together with the senate, is vested with the power of making treaties. Treaties require secrecy. Yet the President has no power to oblige even the senate to consider his communications as confidential. That body must exercise its own judgment in such a case. And the majority has no other right to close the mouths of the minority than what results from the authority given by the constitution to both houses to "publish a journal, excepting such parts as may in their judgment require secrecy." Still a member of the minority ought not, in any common case, to publish any part of the proceedings contrary to the will of the majority. Mr. Mason was censured for publishing the British treaty, even by some of his own party. But how far do the rights of the President, in consequence of the treaty making power, go to seal the lips of the members of the house of representatives? Can he communicate what papers he pleases to that body, and, by a nod from his political Olympus, impose upon that body the degrading necessity of being silent as to their contents, at his own discretion? Is the injunction to produce a concealment of the substance or the form of the documents, of both substance and form, or of which, exclusively of the other? Have the members no right to examine the subject for themselves, and form an opinion whether the papers communicated do or do not belong to the proper sphere of the treaty making power? And if the house neglects to make a decision involving such an opinion, are individual members precluded from it, as it respects the regulation of their own conduct? As it is a mere matter of opinion how far the house of representatives possesses any constitutional power of cooperating with the president and senate in the formation of treaties, is not every member to judge for himself, how far he is bound to respect the opinion of the executive upon that subject? Is it not the better opinion, even upon the principles of the democrats themselves, that the house of representatives have no previous agency whatever in the matter of treaties, but a power, and that to be exercised in extreme cases only, of checking the president and senate, when they make treaties destructive to the state, by refusing to make the ap-

propriations necessary to carry such treaties into effect? And if this be correct, what power has the President to communicate to the House documents respecting a treaty contemplated or commenced, and what right has the house to act upon them in that character? If such powers and rights exist, are they unlimited in duration as well as in extent? Are they to operate upon particular cases, not only in the present, but through every future age? Some of these, as Dr. Franklin said to the House of Lords, are deep questions. All of them are momentous. It would be absurd to contend that the right of imposing secrecy upon a member of congress ceases to operate upon that member when he ceases to be a member. In that case, it would only be necessary for a member to resign his seat, to become entitled to the privilege of publishing the whole of the secret journals of the body to which he belonged. No Let reasonable construction be made in all doubtful cases. So far as the right to impose the injunction of secrecy is fairly warranted by the constitution, it must be admitted that the duration of the obligation resulting from the exercise of that right, must depend upon the pleasure of the body by whom it is thus constitutionally exercised. And it is certain that each house of congress does possess the right of keeping a secret journal of its proceedings. Its power to conceal political documents, relative to the "common defence and general welfare," is quite another thing. Documents, especially executive ones, are not regularly a part of the journal. When printed for the use of the members, they are printed in distinct sheets, unconnected with the journal, and never considered as a part of it, not considered even as appendices to it. If the President communicates papers professedly relating to the intended origination of a treaty, which papers are not entered on the secret journal, what have they to do with the constitutional power of the house to keep a secret journal of its proceedings? What natural connexion have they with the secret journal rather than with the public one? How can they be considered as "proceedings" of the house at all? How, indeed, can the house proceed to act constitutionally upon them? Did the Democrats ever pretend, even in the days of the famous British treaty, that the house of representatives could claim a right of cooperating with the President and senate in the origination of a treaty, especially a treaty unconnected with the legislative power to regulate commerce? Or, if the house could not claim the right, that the President could communicate it to them?

From this view of the subject it appears easy to establish, most unanswerably and conclusively, that the President possesses NO CONSTITUTIONAL POWER, in any case whatever, to impose any injunction of secrecy upon the members of the house of representatives.

FROM THE NEW YORK EVENING POST.
THE CONTRAST;

Or the difference between a king and a president.

The following statement of facts will explain the title of this article and its purpose.

Lord Chatham, who commanded the late unfortunate expedition against Walcheren, conscious that his conduct was the subject of almost universal dissatisfaction, and the topic of daily censure, undertook to remove the blame of failure from himself, and fix it somewhere else. With this view he drew up a paper containing a narrative suitable for his purpose, and one day at levee handed it to the king himself for his majesty's perusal. In a few days afterwards, he was observed to request to take it back for correction, and in a short time afterwards, it was believed, he handed the king another paper on the same subject; not the first paper corrected, but a second, materially different from the first. Somehow the minority in the house became acquainted with these facts, and it was moved that the paper or papers should be produced. A paper was without difficulty sent them by the king, which Lord Chatham on his examination declared to be the narrative delivered by him. Not being satisfied with his answers, which were evasive as to whether this was the only paper delivered; they then asked him in a precise manner, whether he did not deliver a second and different paper? Which question he told them he must decline to answer. On this, an address was moved by Mr. Whitbread before the house, requesting that his majesty would be pleased to lay a copy of all other papers presented by Lord Chatham on the table. He said that Lord Chatham not having denied the fact, warranted the assumption that other papers had been presented, and it became the duty of the house to insist on their production.

This motion was opposed by the ministry.—The Secretary of State and the Chancellor of the Exchequer asked how ministers were to get at the paper without searching his majesty's private es- croit? The paper sought for they said was denied to have any existence in any of the departments of state. Under such circumstances they said it was impossible to comply with this motion. Was it to be contended that if a private letter upon a public subject were addressed to the sovereign, that letter was to be laid before the House? But the leading members of the opposition, Mr. Ponsonby, Mr. Tierney, Sir S. Romilly, Mr. Whitbread, &c. rose and boldly declared that such language and such doctrine was not to be endured in that House. Was it (they demanded) for a moment to be permitted to a British secretary of state to maintain as a legitimate objection before a British House of Commons, that he did not know where to look for or how to get at a public