

Monticello, April 30, 1811.

(Mr. Smith's Address, concluded.)

the utmost precision the substance of our conference of this day, and knowing that verbal communications are not unfrequently misunderstood, I consider it proper to propose to you in a written form the questions, which I have had the honor of submitting to you in conversation, namely:

- 1st. Were the Berlin and Milan decrees revoked in whole or in part on the first day of last November? Or, have they at any time posterior to that day been so revoked? Or, have you instructions from your Government to give to this Government any assurance or explanation in relation to the revocation or modification of these decrees?
- 2d. Do the existing decrees of France admit into French ports with or without licences American vessels laden with the produce of the U. States, and under what regulations and conditions?
- 3d. Do they admit into French ports with or without licences American vessels laden with articles not the produce of the U. States, and under what regulations and conditions?
- 4th. Do they permit American vessels with or without licences to return from France to the U. States, and upon what terms and conditions?
- 5th. Is the importation into France of any articles the produce of the U. States absolutely prohibited? And if so, what are the articles so prohibited, and especially are tobacco and cotton?
- 6th. Have you instructions from your government to give to this Government any assurance or explanation in relation to the American vessels and cargoes seized under the Rambouillet decree?

I have the honor to be, &c. &c.

R. SMITH.

Mr. Serurier, &c. &c.

9th. In my letter to Mr. Erskine of April 17th 1809, Mr. Madison proposed, and contrary to my ideas of propriety, insisted on inserting the following paragraph, viz:

"But I have it in express charge from the president, to state, that while he forbears to insist on a farther punishment of the offending officer he is not the less sensible of the justice and utility of such an example, nor the less persuaded that it would best comport with what is due from his Britannic Majesty to his own honor."

To this paragraph I had two objections: 1st. It is not reconcilable to that dignified decorum which the comity of governments in their intercourse with each other ought to observe.

2d. As in a case of individuals, so in a case of nations, wherein a reparation may be tendered for an aggravated insult; the party insulted cannot consistently accept a reparation in satisfaction, and in the same letter insist that such reparation is not as satisfactory as in honor it ought to be. Such an acceptance would necessarily imply, that the pusillanimity of the party insulted had, from a dread of a conflict, disposed him to yield to what his logic at the same time told him was not an adequate atonement.

10th. By my letter to Gov. Claiborne of Oct. 27th, 1810, ordering him to take possession of the part of West Florida claimed by the U. S. he was authorized to call to his aid the regular army and the whole militia force of the neighbouring territories. To this order Mr. Madison annexed, with his own pen, the following restrictive qualification, viz: "should, however, any particular place, however small, remain in possession of a Spanish force, you will not proceed to employ force against it, but you will make immediate report thereof to this department."

The idea of the whole military force of the U. States being in full march and suddenly halting at the first appearance of a Spanish bayonet, or of their being restrained from taking possession to the full extent of what Mr. Madison himself considered our legitimate claim, was, to my mind, so humiliating, that I really could not disguise my opinion of the restriction under the mask of official reverence.

11th. In the month of December, next after my accession to the Department of State, I discovered that several American citizens, claimants under the 7th article of the British Treaty, had in vain presented for payment their respective claims. To my surprise I found that there was not within my control any money for the discharge of these just claims: and, with equal surprise, I ascertained at the treasury, that Mr. Erving, our agent in London had retained in his hands, as a commission of 2 1/2 per cent. the sum of 22,392 dollars, and that this sum, thus retained, was the very money that had been paid by the British government, in trust, for the identical American citizens, whose claims had thus in vain been presented for payment. Neither in any Department of government was there to be found any record, or indeed any trace whatever of a letter of any kind authorising Mr. Erving to retain that sum of money. No circumstance in relation to it was within recollection of any of the clerks. To my predecessor in office I then resorted. From him, however, I could obtain no explanation. I nevertheless stated to him, that the claim of Mr. Erving, as it appeared on the books of the Treasury, was utterly inadmissible. 1st. Because being an officer with a fixed annual compensation, he could not with propriety receive an extra emolument; and, especially, for the same services for which the established compensation was allowed. 2d. Because the money retained by him, was not the property of the U. S. but was merely in the hands of this government, in trust, for certain citizens of the U. S. whose claims under the British Treaty had been duly sanctioned. Mr. Madison barely remarking that he had no knowledge or recollection of any of the circumstances of this affair, took occasion abruptly to call my attention to some other subject. Perceiving, as I did, that he was not disposed, to give me any instructions in relation to this affair, I informed him that I would lose no time in applying to Mr. Erving for the requisite explanation. And the following letter was accordingly written and transmitted to him.

Department of State, December 19, 1809.

Sir, Finding that the sums of money, heretofore drawn out of your hands, by authority of this Department, to this country with a view to the payment of such claims, under awards of the board of Commissioners acting under the 7th article of

the British Treaty, as you had previously paid in London, are insufficient for that purpose, and that upon inquiry at the Treasury, there is still in your hands the sum of 5688 pounds 7 shillings sterling, I have to request that you will remit the same in some safe and convenient mode to this Department; and, as several claims, which have been presented here, must wait the arrival of this money for payment, I have further to request you to hasten this remittance as much as possible.

Having learned at the Treasury also that you have retained this sum as a commission of 2 1/2 per cent. upon the monies, which have passed through your hands, I think it proper to apprise you, that no compensation of that kind can be allowed. I have the honour to be, &c. &c.

R. SMITH.

George W. Erving, Esq. &c.

Upon the receipt of this letter Mr. Erving, then in Cadiz, in his reply, informed me, that, upon his return to the United States, he would give me the necessary information. Upon his arrival at Washington, he accordingly shewed me a letter from Mr. Madison himself, fully and explicitly authorising him to retain the sum of money in question. Whence then, it will be asked, did it happen, that of this letter there was no record—no trace whatever in the Department of State? It is because it was not an official but a private letter, and of which the original and duplicate were both in Mr. Madison's own hand writing. The following is the copy of this letter.

(DUPLICATE.)

WASHINGTON, Nov. 3, 1804.

Private. DEAR SIR,

Your several communications relating to the awards; seamen, &c. have been just received and with them your private letter of September 1st. As the subject of this last may render an early answer interesting to you, I hasten to give it. Your observations on the reasonableness of some remuneration for your services have, as you wished, been submitted to the President. The result of his reflections for the present is, that I should suggest that you retain out of the next instalment in its passage through your hands to the Barings a per centage of 2 1/2 on the awards actually received and to be received by you and that you state it as an item in your account with the public. This will bring the equity of your claim regularly before the government and will leave the way open for the choice of modes and funds as may finally appear most proper.

With great esteem and regard,

I am, dear sir, your obdt servant,

JAMES MADISON.

George Erving, Esq. London.

Pressing to Mr. Madison my surprise and regret that a money transaction so large an amount had been made the subject of a private letter, I remarked to him that he would now have to decide whether Mr. Erving would be allowed to retain this sum of money, and that should he be so allowed, then an application must necessarily be made to Congress for an appropriation of a like sum to enable the State Department to discharge the just demands of the claimants under the Treaty. I, moreover at the same time, stated to Mr. Madison that the agency of Mr. Erving had been from September, 1801, to September, 1805, and that the private letter of November, 1804, giving to him 22,392 dollars in addition to his annual salary of 2,000 dollars, was in fact, allowing him a compensation of 7,598 dollars per annum. As, however, it appeared to the President that consistently with his private letter, Mr. Erving could not in candor or in equity be called upon to return to the government this money, I was of course instructed by him to give his claim to it the sanction of the State Department, and moreover, to consider and put on file, as a public letter, the private letter of Nov. 3, 1804. And an application was afterwards accordingly made to Congress for the requisite appropriation.

The Senate having passed a resolution calling upon the President for certain information in relation to this subject, I frankly declared to him, that in case of his application to the State Department for a report, every consideration of duty would constrain me to set forth all the circumstances of this transaction. He manifested great perturbation and fretfully said, that the call of the Senate was evidently made with a view to injure him. In connexion with this unprecedented observation, I perceived unequivocal indications of dissatisfaction with respect to myself. And well assured as I am, and believing, as I sincerely do, that this affair had contributed in a great degree to the rupture that has taken place between Mr. Madison and myself, I cannot but consider it a proper item in the catalogue to be exhibited on this occasion to the view of our fellow citizens. It will suggest to every mind the following questions:

1st. As President Jefferson in the year 1801, with a view to save the public money, did, with the approbation of Mr. Erving, appoint him agent of the United States in London, with a fixed salary of 2,000 dollars per year, to perform all the duties, which had been previously performed by Mr. Williams, Mr. Cabot and Mr. Lenox, why did Mr. Madison, in 1804, in a private way, counteract this economical policy, by allowing to Mr. Erving a sum of money about the same in amount as the removed officers would have been entitled to claim, had they remained in office?

2nd. Why did Mr. Madison allow to an officer having a stated salary, an extra compensation greatly exceeding in amount his fixed salary; and especially, as that extra compensation was not for extra services; but merely for the same services for which the stated salary was originally allowed?

3d. Why was the letter making so unprecedented an allowance, not an official one? And why was there not left in the office some trace of it?

4th. Why did he depart so much from established usage, as to take the liberty of using the name of the President in a letter granting money, when it was intended at the time, not only that the letter was to be a private one, but that no trace of it should thereafter be found in the office?

5th. If, in November, 1804, it had been considered, that Mr. Erving was entitled to the additional compensation of so large a sum as 22,392 dollars for services past as well as future, why had not the case, at or about that time, been present-

ed to Congress for the requisite appropriation? Why had it been suffered to remain, so many years, enveloped in secrecy and darkness?

6th. Why did Mr. Madison authorise Mr. Erving to retain this particular sum of money, as it was not the property of the United States; as it was, in fact, in the hands of this government merely in trust for certain citizens of the United States; and especially, as he could not but have known that the honest claims of those suffering citizens would in time, be presented for payment; and that, in that case, to satisfy those claims the same amount of money must necessarily be drawn from the Treasury, as was actually done at the last session.

Having given to my fellow citizens a view of the circumstances under which I have resigned the commission of Secretary of State, it may not be amiss, as therewith somewhat connected, to give them a short sketch of the circumstances under which that commission had been received.

During the eight years of Mr. Jefferson's administration, Mr. Madison and I were colleagues in office. There was between us, without intermission, an intimate personal intercourse. For the last four or five years, he visited me in my office, almost every day, for the purpose of interchanging ideas upon some affairs of his department. Scarcely did he write a paper of any importance, which he did not submit to my consideration before he gave to it its last shape. With a knowledge of me thus acquired, upon his becoming the President of the United States, he offered to me in the first instance, the office of Secretary of the Treasury. Some short time, after and while I was employed in the necessary preparatory investigations in relation to the details of the Treasury Department, Mr. Madison again called upon me and requested me to take the station of the Department of State. And at the same time, he communicated to me the circumstances, that had rendered this change in his administration necessary, which, as they are not at all connected with the designs of this address, it will be improper here to recite.

However unnecessary it may appear to those who know me, I deem it proper on this occasion to declare, that at no time did I, nor, as I am well assured, did any relation or other friend of mine, give or convey directly to Mr. Madison or indirectly to him through any other person, in any manner or form, the slightest intimation, that I wished to be either Secretary of the Treasury or Secretary of State.

Many despicable tales as I have since understood, were last winter covertly conveyed to Mr. Madison by certain abject, designing sycophants, with a view not only to prejudice, but to alarm his mind, and among others, one that the Vice-President, General Armstrong and myself had been employed in concerting a plan to oppose him at the next presidential election. This paltry story I had considered as utterly unworthy of notice. And perhaps I, at this time, attach to it too much importance in avowing, as I now do, that, while I was Secretary of State, I never had in conversation or in writing any communication whatever, directly or indirectly, upon any such subject with either the Vice-President or General Armstrong, or with either of them through any person whatever. But being, at this time, a private citizen, I may, I trust, be allowed to declare to my countrymen, as I most sincerely do, that to ensure the duration of the Republican party, as well as to preserve the honour and the best interests of the United States, it has become indispensably necessary, that our President be a man of energetic mind, of enlarged and liberal views, of temperate and dignified deportment, of honourable and manly feelings, and as efficient in maintaining, as sagacious in discerning the rights of our much injured and insulted country.

R. SMITH.

Baltimore, June 7. P. S. It is, I trust, not expected by any person that I should enumerate the particular nominations to the Senate which I disapproved. Such an undertaking would, at this time, be as unjustifiable as it would be invidious.

APPENDIX TO MR. SMITH'S ADDRESS.

The following Letters and Extracts are here published, merely to shew how unfounded are the tales, with respect to Mr. JEFFERSON, to which certain underlings of Mr. Madison, for the purpose of sustaining him, have found it expedient to resort.

Monticello, June 10th, 1809.

DEAR SIR, I enclose you a letter from — one of the members of Pennsylvania which you readily perceive ought to have been addressed to you. I am, however, gratified by his mistake in sending it to me, inasmuch as it gives me an opportunity of abstracting myself from my rural occupations and saluting one with whom I have been connected in service and in society so many years, and to whose aid and relief on an important portion of the public cares I have been so much indebted. I do it with sincere affection and gratitude, and look back with peculiar satisfaction on the harmony and cordial good will, which to ourselves and our brethren of the Cabinet, so much sweetened our toils. From the characters now associated in the Administration, I have no doubt of the continuance of the same cordiality so interesting to themselves and to the public; and great as are the difficulties and dangers environing our camp, I sleep with perfect composure, knowing who are watching for us.

I pray you to present me respectfully to Mrs. Smith, and to accept my prayers that you may long continue in the enjoyment of health and the public esteem in return for your useful services, past and to come.

TH: JEFFERSON.

The Hon. Robert Smith, Secretary of State.

Extract of a letter from Mr. Jefferson to R. Smith, dated Monticello, Sept. 23, 1810, enclosing a work in Manuscript, intended for publication at some future day.

"You will see what I have made of it (the subject) by the enclosed; which I forward in the hope you will consider and correct it. Will you do me the favour to put on paper such corrections as you would advise and forward them to me? I pray you to be assured of my constant affection and respect."

DEAR SIR, "I have learned with sincere concern the circumstances which have taken place at Washington. Their first confirmation to me was from the National Intelligencer. Still my hopes and confidence were that your retirement was purely a matter of choice on your part. A letter I have received makes me suppose there was a more serious misunderstanding than I had apprehended. No one feels more painfully than I do the separation of friends, and suffering myself myself under whatever inflicts suffering on them, I conclude with them mutually and ask the mutual permission to esteem all, as ever I did; not to know their differences nor ask the causes of them. The harmony which made me happy while at Washington is as dear to me now as it was then, and I should be equally afflicted were it by any circumstances to be impaired as to myself. I have so much confidence in the candor and liberality of both parties as to trust that the misunderstanding will not be permitted to lead to any sinister effects, and my constant prayer will be for blessings on you all.

TH: JEFFERSON.

Robert Smith, Esq. Baltimore.

Baltimore, May —, 1811.

DEAR SIR, "With great satisfaction I have just received your friendly letter of the 30th ult. Of the occurrence at Washington I had as little suspicion as you had. And, at this moment, I know not to what kind of infatuation to attribute it.

"From one of your old and uniform friends, I some days since received a letter, requesting information, as to the ground there was for the opinion that you had been privy to this transaction, stating, at the same time, that he could not for a moment allow himself to give any kind of credit to so improbable a tale. I at once assured him, that it was to be referred to the numerous class of fabrications, and that, so far from entertaining myself such a suspicion, I was confident there was not the slightest ground for the imputation, and, by way of illustration, I transmitted to him for his individual satisfaction, copies of two letters, I had received from you after my accession to the Department of State.

"I entreat you, sir, to remain assured, that with sentiments, as grateful as pleasing, I at this time do, and, I trust, I ever will retain a just sense of your dignified, liberal, frank deportment towards me on every occasion during your administration, and that, however disposed I may be to forgive an enemy, I never did abandon a friend.

"I have the honor to be, &c. &c.

R. SMITH.

The Hon. Thomas Jefferson, Monticello.

Was ever hypocrisy carried further? As if every body did not know that Jefferson was at the bottom of the intrigue to put Smith out, and bring Monroe in — Ed. N. Y. E. Post.

NEW BOOKS.

W. Boylan, has just received from Philadelphia and New York, a supply of Classical Books; and he has also received the following:

Saurin's Sermons, 7 vols. call. gilt do. Select do. 1 vol.	2 1/2
Kollock's Sermons, just published	2 50
Watson's Apology for the Bible	85
Buck's Theological Dictionary	5
Rowe's Devout Exercises	60
Austin on the human character of Christ	1
Fuller's Defence of the Gospel	1-10
Foster's Essays	1 25
Lytleton's Conversion of St. Paul	40
Buck's Miscellany, 2 vols.	2 50
Paley's Sermons do. Natural Theology	2 25
Gill's Body of Divinity	3
Mute Christian	1
Scott's Theological Works 5 vols.	14
Venn's duty of man	2 25
Harvey's works, 6 vols	8
Pocket Bibles with Psalms do do do	1 50
do do do	1 75
do do do gilt	3
do do 2 vols.	4 50
do do 2 vols. morocco	4 50
Faber on the Prophecies, relative to the great period of 1260 years	3 25
Do. View of the Prophecies, a later work, relative to the conversion, restoration, union and future glory of Judea and Israel	2 25
Robison's Illuminati, or proofs of a conspiracy against religion	2
The British Cicero, a selection of the most admired speeches, 3 vols.	
Jesuit's Letters, during a late residence in the U. States, being a fragment of a private correspondence, accidentally discovered in Europe by some Unknown Foreigner	1 25
Bonycastle's algebra do arithmetic	
Neilson's greek exercises	
Bollman on banks	
Henning and Munford's Virginia Reports 4th vol.	
Johnson's New York do 6 vols.	
East's Reports 11th vol.	
Walker on Elocution—Ossian	
Campbell's Poems	
D'Anville's Ancient Geography	10 50
Remains of Henry Kirke White 2 vols.	2 50
The Itinerant, or memoirs of an actor English Bards and Scottish Reviews, a satire, by Lord Byron	1
Anne of Brittany, a late novel	1
The Missionary, an Indian Tale, by Miss Owenson, with her likeness	1 25
The Father's Tales to his daughters, by J. N. Bonilly, lat. work	1
Humbold's Political Essay on the Kingdom of New Spain 2 vols.	4 25
Johnson's Journey to the Western Island of Scotland	1 50
C. Johnson on Cancer	1 25
Home on Ulcers	1 50
Murray's Supplement to his Chemistry	1 25
Tales of Real Life, a sequel to Miss Edgeworth	1 75
Wallace, or the Flight of Felkirk, by Miss Holford	67