

Western Carolinian.

It is even wise to abstain from laws, which, however wise and good in themselves, have the semblance of inequality, which find no response in the heart of the citizen, and which will be evaded with little remorse. The wisdom of legislation is especially seen in granting laws on conscience.

Dr. Channing.

SALISBURY, ROWAN COUNTY, N. C. MONDAY, MARCH 14, 1831.

[VOL. XI., NO. 562.]

TERMS.—The terms of the Western Carolinian will be as follows:—One dollar and a half per annum, or two dollars out, if paid in advance. No paper will be discontinued, except at the desire of the subscriber. All advertisements will be inserted at the rate of one dollar per square for the first week, and 50 cents each week they are continued thereafter. Postage must be paid on all letters addressed to the Editors, or they may not be attended to.

CORRESPONDENCE.

Between the President and Vice-President of the United States.

(Continued.)

I will not reason the point, that a letter to Gov. Bibb, which was not communicated to you, which bears date long after you occupied St. Marks, and subsequently to the time you had determined to occupy Pensacola, (see your letter of June 2d, 1818, to me, published with the Seminole document,) could give you authority to occupy those posts. I know that, in quoting the letter, you could not intend such absurdity to authorize such an inference; and I must therefore conclude that it was your intention by the extract to show that, at the time of writing the letter, it was my opinion that the orders under which you did act, were intended to authorize the occupation of the Spanish posts. Nothing could have been more remote from my intention in writing the letter. It would have been in opposition to the view which I have always taken of your orders, and in direct contradiction to the President's message of the 25th March, 1818, communicated but a few weeks before to the House of Representatives, (already referred to,) and which gives a directly opposite construction to your orders. In fact, the letter, on its face, proves that it was not the intention of the Government to occupy the Spanish posts. Referring to it, you will see that I enclosed to the Governor a copy of my orders to General Gaines, of the 16th December, 1817, authorizing him to cross the Spanish line, and to attack the Indians within the limits of Florida, unless they should take shelter under a Spanish post, in which event, he was directed to report immediately to the Department, which order Governor Bibb was directed to consider as his authority for carrying the war into Florida, thus clearly establishing the fact that the order was considered still in force, and not superseded by that to you, directing you to assume the command in the Seminole war.

Nor can my letter of the 6th of February be, by any sound rule of construction, interpreted into an authority to occupy the Spanish posts, or as evincing, on my part, such an interpretation of the orders previously given to you. Your letter of the 20th January, to which mine is in answer, bears date at Nashville, before you set out on the expedition, and consists of a narrative of the measures adopted by you, in order to bring your forces into the field, where they were directed to rendezvous, the time intended for marching, the orders for supplies given to contractors, with other details of the same kind, without the slightest indication of your intention to act against the Spanish posts, and the approbation of the President of the measures you had adopted could be intended to apply to those detailed in your letter. I do not think that your letter of the 13th instant presents the question, whether the Executive or yourself placed the true construction, considered as a military question, on the orders under which you acted. But I must be permitted to say, that the construction of the former is in strict conformity with my intention in drawing up the orders; and that, if they be susceptible of a different construction, it was far from being my intention they should be. I did not then suppose, nor have I ever, that it was in the power of the President, under the constitution, to order the occupation of the posts of a nation with whom we were not at war, (whatever might be the right of the General, under the law of nations, to attack an enemy sheltered under the post of a neutral power;) and had I been directed by the President to issue such order, I should have been restrained from complying by the higher authority of the constitution, which I had sworn to support. Nor will I discuss the question whether the order to General Gaines, inhibit-

ing from attack the Spanish posts, (a copy of which was sent to you,) was in fact, and according to military usage, an order to you, and of course obligatory until rescinded. Such, certainly, was my opinion. I know that yours was different. You acted on your construction, believing it to be right; and, in pursuing the course which I have done, I claim an equal right to act on the construction which I conceived to be correct, knowing it to conform to my intentions in issuing the orders. But in waiving now the question of the true construction of the orders, I wish it however to be understood, it is only because I do not think it presented by your letter, and not because I have now, or ever had, the least doubt of the correctness of the opinion which I entertain. I have always been prepared to discuss it on friendly terms with you, as appears by the extracts from Mr. Monroe's correspondence, and more recently by my letter to you of the 30th of April, 1828, covering a copy of a letter of Major H. Lee, in which I decline a correspondence that he had requested on the subject of the construction of your orders. In my letter to Major Lee, I stated that, "as you refer to the public documents only for the construction which the Executive gave to the orders, I infer that on this subject you have not had access to the General's (Jackson's) private papers; but if I be in an error, and if the construction which the administration gave to the orders to be not stated with sufficient distinctness in the then President's correspondence with him, I will cheerfully give, as one of the members of the Administration, my own views fully in relation to the orders, if it be desired by General Jackson; but it is only with him and at his desire, that under existing circumstances, I should feel myself justified in corresponding on this or any other subject connected with his public conduct;" to which I add in my letter to you, covering a copy of the letter of which the above is an extract, "with you I cannot have the slightest objection to correspond on this subject, if additional information be desirable." You expressed no desire for further information, and I took it for granted that Mr. Monroe's correspondence with you, and the public documents, furnished you a full and clear conception of the construction which the Executive gave to your orders; under which impression I remained till I received your letter of the 13th inst.

Connected with the subject of your orders, there are certain expressions in your letter, which, though I am at a loss to understand, I cannot pass over in silence. After announcing your surprise at the contents of Mr. Crawford's letter, you ask whether the information be correct, "under all the circumstances, of which you and I are both informed, that any attempt seriously to affect me was moved and sustained by you in cabinet council, when, as is known to you, I was executing the wishes of the government." If by wishes, which you have underscored, it be meant that there was any intimation given by myself, directly, or indirectly, of the desire of the government that you should occupy the Spanish posts, so far from being "informed," I had not the slightest knowledge of any such intimation, nor did I ever hear a whisper of any such before. But I cannot imagine that it is your intention to make a distinction between the wishes and the public orders of the government, as I find no such distinction in your correspondence with the President, nor in any of the public documents; but, on the contrary, it is strongly rebutted by your relying for your justification constantly and exclusively on your public orders. Taking, then, the "wishes of the government" to be but another expression for its orders, I must refer to the proof already offered, to show that the wishes of the government, in relation to the Spanish posts, were not such as you assume them to be.

Having, I trust, satisfactorily established that there has not been the least disguise as to the construction of your orders, I will now proceed to

state the part which I took in the deliberations of the cabinet. My statement will be confined strictly to myself, as I do not feel myself justified to speak of the course of the other members of the administration; and, in fact, only of my own in self-defence, under the extraordinary circumstances connected with this correspondence.

And here I must premise, that the object of a cabinet council is not to bring together opinions already formed, but to form opinions on the course which the government ought to pursue, after full and mature deliberation. Meeting in this spirit, the first object is a free exchange of sentiment, in which doubts and objections are freely presented and discussed. It is, I conceive, the duty of the members thus to present their doubts and objections, and to support them by offering fully all of the arguments in their power, but at the same time to take care not to form an opinion till all the facts and views are fully brought out, and every doubt and objection carefully weighed. In this spirit I came into the meeting. The questions involved were numerous and important; whether you had transcended your orders; if so, what course ought to be adopted; what was the conduct of Spain and her officers in Florida; what was the state of our relations with Spain, and, through her, with the other European powers—a question, at that time, of uncommon complication and difficulty. These questions had all to be carefully examined and weighed, both separately and in connexion, before a final opinion could be wisely formed; and never did I see a deliberation in which every point was more carefully examined, or a greater solicitude displayed to arrive at a correct decision. I was the junior member of the cabinet, and had been but a few months in the administration, as Secretary of War. I was more immediately connected with the questions whether you had transcended your orders, and, if so, what course ought to be pursued. I was of the impression that you had exceeded your orders, and had acted on your own responsibility; but I neither questioned your patriotism nor your motives. Believing that where orders were transcended, investigation, as a matter of course, ought to follow, as due in justice to the government and the officer, unless there be strong reasons to the contrary, I came to the meeting under the impression that the usual course ought to be pursued in this case, which I supported by presenting fully and freely all the arguments that occurred to me. They were met by other arguments, growing out of a more enlarged view of the subject, as connected with the conduct of Spain and her officers, and the course of policy which honor and interest dictated to be pursued towards her, with which some of the members of the cabinet were more familiar than myself, and whose duty it was to present that aspect of the subject, as it was mine to present that more immediately connected with the military operations. After deliberately weighing every question, when the members of the cabinet came to form their final opinion, on a view of the whole ground, it was unanimously determined, as I understood, in favor of the course adopted, and which was fully made known to you by Mr. Monroe's letter of the 19th of July, 1818. I gave it my assent and support, as being that which, under all the circumstances, the public interest required to be adopted.

I shall now turn to the examination of the version which Mr. Crawford has given of my course in this important deliberation, beginning with his "apology for having disclosed what took place in the cabinet meeting." He says, "In the summer after the meeting, an extract of a letter from Washington was published in a Nashville paper, in which it was stated that I (Mr. Crawford) had proposed to arrest General Jackson, but that he was triumphantly defended by Mr. Calhoun and Mr. Adams. This let-

* Acquiesced would probably be more correct, at least as applicable to one member of the cabinet.

ter I always believed, was written by Mr. Calhoun, or by his directions. It had the desired effect; General Jackson became inimical to me, and friendly to Mr. Calhoun."

I am not at all surprised that Mr. Crawford should feel that he stands in need of an apology for betraying the deliberations of the cabinet. It is, I believe, not only the first instance in our country, but one of a very few instances to be found in any country, or any age, that an individual has felt himself absolved from the high obligation which honor and duty impose on one situated as he was. It is not, however, my intention to comment on the morality of his disclosure; that more immediately concerns himself; and I leave him undisturbed to establish his own rules of honor and fidelity, in order to proceed to the examination of a question in which I am more immediately concerned—the truth of his apology.

I desire not to speak harshly of Mr. Crawford. I sincerely commiserate his misfortune. I may be warm in political contests; but it is not in me to retain enmity, particularly towards the unsuccessful. In the political contest which ended in 1825, Mr. Crawford and myself took opposite sides; but whatever feelings of unkindness it gave rise to, have long since passed away on my part. The contest ended in an entire change of the political elements of the country; and, in the new state of things which followed, I found myself acting with many of the friends of Mr. Crawford, to whom I had been recently opposed, and opposed to many of my friends, with whom I had, till then, been associated. In this new state of things, my inclination, my regard for his friends who were acting with me, and the success of the cause for which we were jointly contending, all contributed to remove from my bosom every feeling towards him, save pity for his misfortune. I would not speak a harsh word, if I could avoid it; and it is a cause of pain to me that the extraordinary position in which he has placed me compels me, in self-defence, to say any thing which must in its consequence, bear on his character.

I speak in this spirit when I assert, as I do that his apology has no foundation in truth. He offers no reason for charging me with so dishonorable an act as that of betraying the proceedings of the cabinet, and that for the purpose of injuring one of my associates in the administration. The charge rests wholly on his suspicion, to which I oppose my positive assertion that it is wholly unfounded. I had no knowledge of the letter, or connexion with it; nor do I recollect that I ever saw the extract. But why charge me and not Mr. Adams? I wish not to be understood as intimating that Mr. Adams had the least connexion with the affair. I believe him to be wholly incapable of such baseness. I had then been but a few months in the administration, and Mr. Crawford and myself were on the best terms without a feeling, certainly on my part, of rivalry or jealousy. In assigning the motive that he does for the letter, he forgets the relation which existed then between you and himself. He says it had the desired effect; that you became friendly to me, and extremely inimical to him. He does not remember that your hostility to him long preceded this period, and had a very different origin. He certainly could not have anticipated that a copy of his letter would be placed in your hand.

These are not the only difficulties accompanying the apology: there are others still more formidable, and which must compel him to assign some other reason for disclosing the proceedings of the cabinet.

Mr. McDuffie's letter to me, of the 14th instant, of which I enclose a copy, proves that Mr. Crawford spoke freely of the proceedings of the cabinet on his way to Georgia, in the summer of 1818, and dates will show that he could not at that time have seen the extract from the Nashville paper, on which he now rests his apology. The deliberation of the cabinet took place

*The letter of the Hon. George McDuffie, Appendix marked G.

between the 14th and 25th July, 1818. On the former day, Mr. Monroe returned to Washington from Loudon, and on the latter a general exposition of the views of the Government in relation to the operations in Florida appeared in the Intelligencer. The letter of Mr. Monroe to you of the 19th July, 1818, fixes probably the day of the final decision of the cabinet. Mr. Crawford passed through Augusta on the 11th August, as announced in the papers of that city, on which day, or the preceding, his conversation, to which Mr. McDuffie's letter relates, must have taken place. On a comparison of these dates, you will see that it was impossible that Mr. Crawford could have seen the extract from the Nashville paper when he was in Edgefield, and he must consequently find some other apology for his disclosures. This was not the only instance of his making the disclosures before he saw the extract. He was at Mil-ledgeville on the 16th of August, 1818, a few days after he passed through Augusta, and a little after, there appeared a statement in the Georgia Journal, somewhat varied from that made in Edgefield, but agreeing with it in most of the particulars. I cannot lay my hand on the article, but have a distinct recollection of it. You no doubt remember it. Circumstances fixed it on Mr. Crawford, and it has not to my knowledge, been denied.

With such evidence of inaccuracy, either from want of memory, or some other cause, in what relates to his own motives and actions, it would be unreasonable to suppose that Mr. Crawford's statements will prove more correct in what relates to me. I will now proceed to examine them: He first states that I proposed that you should "be punished in some form, or reprimanded in some form;" and to make my course more odious, as I suppose, he adds, that "Mr. Calhoun did not propose to arrest General Jackson." I will not dwell on a statement which, on its face, is so absurd. How could an officer under our law be punished without arrest and trial? And to suppose that I proposed such a course, would be to rate my understanding very low.

The next allegation requires much more attention. He says, "indeed my own views on the subject had undergone a material change after the cabinet had been convened. Mr. Calhoun made some allusion to a letter that General Jackson had written to the President, who had forgotten that he had received such a letter, but said if he had received such a one, he would find it, and went directly to his cabinet and brought it out. In it General Jackson approves of the determination of the Government to break up Amelia island and Galvestown; and gave it also as his opinion that Florida ought to be taken by the United States. He added, it might be a delicate matter for the Executive to decide, but if the President approved of it, he had only to give a hint to some confidential member of Congress, say Johnny Ray, and he would do it, and take the responsibility on himself. I asked the President if the letter had been answered; he replied no; for that he had no recollection of receiving it. I then said that I had no doubt that General Jackson, in taking Pensacola, believed he was doing what the Executive wished. After that letter was produced unanswered, I should have opposed the infliction of punishment on General Jackson, who had considered the silence of the President as a tacit consent; yet it was after the letter was read; that Mr. Calhoun made the proposition to the cabinet for punishing the General." Again: "I do not know that I ever hinted at the letter to the President, was that letter had a most important bearing on the deliberations of the cabinet, at least in my mind, and possibly on the minds of Mr. Adams and the President; but neither expressed any opinion on the subject. It seems it had none on the mind of Mr. Calhoun, for it made no change in his conduct."

It will be no easy matter for Mr. Crawford to reconcile the statement