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[From the Boston Repertory.]

LETTER III.

TO THE CITIZENS OF THE  
COMMONWEALTH OF MASSACHUSETTS  
Embargo—and War with G. Britain.

FELLOW CITIZENS,

In my last letter I gave the history of President Jefferson's embargo in 1807. By undertaking to state his reasons for recommending the destructive measure, he has exposed himself to detection; and I presume that every fair-minded reader will be convinced from his own documents which I recite, of his hypocrisy, duplicity, falsehood and treachery. President Madison has been more cautious in his embargo, assigning no specific reasons for recommending it. But we have Mr. Jefferson's assurance (in his answer to the Baltimore Society when he went out of office) that Mr. Madison, when secretary of state, had cordially co-operated with him in his measures; which he considered as a pledge, that, now become President, he would pursue the same system. But this testimony of his patron was not necessary to induce a full expectation and belief in those who were acquainted with Mr. Madison's political character, that he would go on in the same course. That he should therefore recommend an embargo at this juncture, is perfectly consistent. Having joined with the French emperor "in twisting a knot about our necks" his further co-operation was naturally to be expected. And nothing could so effectually promote, the emperor's views, at this time as an embargo—to be followed by a war with Great Britain. Such a war, however, I think Mr. Madison must be a little apprehensive, would not be sufficiently popular for him to venture upon unless Great Britain can, by some cunning management, being induced to commence; & in some way that may enable him to persuade the people that he had taken every possible precaution to avoid a war. The proceedings in East Florida may lead to this result. The basis of these proceedings was the act of Congress secretly passed during the last session of Congress, authorising the President to take possession of that Spanish province, in case an arrangement had been or should be made with the local authority thereof for delivering possession of it or of any part of the United States; or in the event of an attempt to occupy that province or any part of it by any foreign government. And one hundred thousand dollars were appropriated, and placed at the President's disposal, "to defray such expenses as the President might deem necessary, for obtaining as aforesaid and security of that territory.

The provisions of this act, and subsequent events, deserve consideration. And first,—How was the President to obtain possession of East Florida? "By an arrangement with the local authority thereof." And what constituted that "local authority?" And why attempt an "arrangement" with those Spanish officers? The President and Congress knew that the Sovereign power of Spain alone could lawfully make an "arrangement," for transferring the possession of the province of the United States. What sort of an "arrangement," then could be made with the governor and other officers of East Florida? There could be but one—and that one could be accomplished only by the voluntary treason of those officers of which the President was to take advantage—or by his employing our agents to seduce them from their allegiance, and by corruption tempt them to become traitors to their country. And from the statement I am now making, such will appear to have been the deliberate plan of the "virtuous and amiable Madison!" Of the same man who in his late message to Congress communicating the papers delivered him by John Henry, affected to be deeply wounded by an act of General Craig, the British governor of Canada, in sending Henry to Boston to learn, if there be any truth in his story, what was the situation of public affairs, and the strength of plans of parties, at a time when the country was groaning under the oppression of Mr. Jefferson's treacherous and ruinous embargo. Mr.

Madison could then warily declaim on this intermeddling of a British governor, insinuating too, that Henry was the "secret agent of the British government"; although it does not appear, by the papers themselves, that Henry was employed by Governor Craig with the knowledge of his government. With the like baseness and with the absolute want of truth, Mr. Madison says, that Henry was "employed in fomenting disaffection to the constituted authorities of the nation, and in intrigues with the disaffected, for the purpose of bringing about resistance to the laws, and eventually, in concert with a British force of destroying the Union." But there is nothing in Henry's papers to warrant this accusation. Henry says he did not open his lips to a single person on the subject of his mission. Of course he did not "foment disaffection to the constituted authorities of the nation," nor from any intrigues with the disaffected." It is a vile slander on the respectable federal inhabitant of Boston, whom Mr. Madison meant to designate by the term "disaffected." And why should Mr. Madison in a formal communication to Congress utter this base slander?—The important elections in Massachusetts were approaching. His message was short and would be read by thousands while Henry's documents were long and would be read by few. And still fewer likely to read them with the attention requisite to detect Mr. Madison's misrepresentations.

But to return to East Florida. The British minister at Washington, Mr. Foster, on the 5th of September last, stated to Mr. Monroe, Secretary of State, his information received from the Spanish minister in Philadelphia, that Governor Matthews of Georgia was on the frontiers of East Florida, "for the purpose of treating with the inhabitants of that province, for its being delivered up to the United States' government; that he was with this view using every method of seduction to effect his purpose; offering to each white inhabitant who would side with him 50 acres of land and the guarantee of his religion and property; stipulating also that the American government would pay the debts of her Spanish government whether due in pensions or otherwise; and that he would cause officers and soldiers of the garrison to be conveyed to such places as should be indicated, provided they did not rather choose to enter into the service of the U. States."—These terms held out to the Spanish subjects of Florida, have on the face of them the stamp of public authority. A private individual, for his own private purposes he would never have dreamed of making such overtures. Mr. Foster adds—"after the solemn asseverations which you gave me in the month of July, that no intentions hostile to the Spanish interests in Florida existed on the part of your government. I am wholly unable to suppose that General Matthews can have had orders from the President for the conduct he is stated to be pursuing; but the measures he is said to be taking in corresponding with traitors, and endeavoring by bribery and every art of seduction to infuse a spirit of rebellion into the subjects of the king of Spain in those quarters, are such as to create the liveliest inquietude, and to call for the most early interference on the part of the government of the United States." And then Mr. Foster earnestly asks Mr. Monroe an explanation of those alarming steps of governor Matthews for subverting the Spanish authority in Florida.

Nearly two months are suffered to elapse before Mr. Monroe gives an answer to Mr. Foster. At length on the 5th of November 1811, he sends him one, drawn up with all the art with which Mr. Madison is capable. Instead of the requested explanation, it gives a long tale of grievances for injuries received from the Spanish government in the course of the last fifteen years; all of which Mr. Madison had reason to believe, and which, when time permits I will show to have originated with the French government, while Spain was absolutely under her control. And Mr. Foster's request to be informed "upon what authority Governor Matthews was acting, and what measures had been taken to put a stop to his proceedings," was altogether evaded. Those were the only important points in Mr. Foster's letter; and to them he obtains no answer. This amounts to an admission that Governor Matthews was President Madison's agent in the nefarious, faithless transaction. I know Governor George Matthews very

well. I regret that he has not a more honourable employment. He was an intrepid officer in our revolutionary war. Brave and enterprising, no man could be better qualified to execute Mr. Madison's designs on East Florida. This no one will doubt when I add, that Governor Matthews was the governor of Georgia, when the Legislature of this state made grants to some companies of speculators of forty millions of acres of land within the claimed boundaries of that State; and the governor's agency was necessary to the completion of those grants. But the succeeding legislature declared they had been obtained by gross bribery and corruption so atrocious that the laws by virtue of which those grants had been made, were expunged from their records, and stamped with all the ignominy which a public burning before the assembled people could inflict.

We have just now received advices, by the newspapers, of the effects of Governor Matthew's agency. A party of Spanish subjects excited to an insurrection, have seized upon the Spanish post in Amelia Island; the commander of the United States gun-boats there giving countenance and support to the insurgents and the commander of the American troops on the neighboring shore of Georgia, detaching a company of riflemen, who accompanied by Gen. Matthews, received the surrender of the place to the American arms!—Now let Mr. Madison again petulently clamor and villify General Craig and the British government for employing John Henry; and henceforward let him and his adherents reproach Great-Britain for her attack on Copenhagen!—An attack, the sole object of which was to get possession of the Danish fleet of ships of war, to prevent their falling into the hands of her formidable and implicable enemy, the emperor of France. As to Mr. Monroe's details of Spanish wrongs, and the pretended title of the United States to West-Florida—they are so full of errors and misrepresentations as greatly to mislead the public mind. It is of public importance to correct them: and when I can spare the time I will correct them. At present I must content myself with affirming, that when the bargain was made in Paris for the purchase of Louisiana, West Florida was not in contemplation as a part of it. That the U. States never paid for it: And that they have no title to it.

The history I have given of the East Florida business, concurs with other acts to shew the true character of our government; by which the United States are dishonoured; and by which we may be drawn into a war with Great-Britain and Spain. This last consideration was the direct object of these details. If we are plunged into a destructive war, it behoves Mr. Madison to have it so brought on as that Great-Britain may appear to be the aggressor in commencing it.—Great Britain is the faithful ally of Spain. She has more than once interposed remonstrance against the acts of our government concerning the Floridas. She alone, in the present condition of the Spanish monarchy, could be expected to send troops to retake and defend East Florida. Should she do it, the American and British arms will come to collision—the projected war will commence. Mr. Madison setting up a claim to East Florida, as the means of indemnity for the injuries the U. States have received from Spain (all of which, as already intimated, may be shewn to have originated with France) will say of East, as he has already said of West Florida, that "the President cannot admit the right of Great Britain to interfere in any question relating to that province."\* And if the United States shall be satisfied (and from their past astonishing confidence in him Mr. Jefferson he may feel authorized to except it) the war, of consequence, may be a popular one. On the principles and course of conduct of our rulers, war is to them indispensable. Without war they cannot raise money. I will explain this in my next letter.

TIMOTHY PICKERING.

April 17, 1812.

\* Monroe's letter to Foster, July 8, 1812.

[From the Baltimore Federal Republican.]

ARE CONGRESS BOUND TO GO TO WAR WITH ENGLAND?

This question is ably, lucidly and dispassionately discussed in our paper to day. No man, he his party what it may, can read this disquisition, without being instructed,

whilst the feelings of every honorable man are shielded from offence by the decorous manner, which has been adopted. We hope it will have a general circulation and perusal, and if it should fail to convince many to whom it is more particularly addressed, it will not be lost upon their constituents, to whose judgment and paramount authority a direct appeal lies, from every error and abuse of power.

TO THE CONGRESS OF THE UNITED STATES.

Feeble and transitory as are the impressions produced by the exposure of political errors amidst the tumult of party contentions, yet at this awful crisis, it may, perchance, be of some use to call your serious attention to some of the characteristic anomalies of the times.

On your honorable body, some it seems, have been induced to think, that in virtue of an existing compact with France, they are under an indispensable obligation to vote for a declaration of war against Great Britain; others, although they feel not the force of any such compact, are yet of the opinion, that consistently with the course of our public proceedings, they cannot withhold their votes for such a declaration, and there are, it is said, others who would prefer a declaration of war against Great Britain to any measure that could be devised by the wisdom of man. As to the last class, should there unhappily be any such, they are really too far below consideration to merit any kind of animadversion. But with respect to the other two classes, in so far as they seem to consider the proposed war as a national calamity, likely to be forced upon us by circumstances against their wishes, they manifest a disposition to avert it, could it consistently be done. It is, therefore, to them I am about submitting, with a becoming decorum, a few observations calculated to shew,

1st. That there is not at this time any existing compact with France, warranted by the constitution of the United States.

2. That the arrangement, which has grown out of the act of congress of May 1810, did not even amount to a constitutional compact, imposing not on congress the obligation of declaring war against G. Britain.

3d. That consistency, instead of requiring, does actually forbid such a declaration of war.

1st. The remark, which in the outset presents itself, on this occasion, is, that a compact with a foreign power cannot, agreeably to our constitution, be formed on the part of the U. States by a mere act of the legislature. The powers of the general government and of its several departments having been precisely defined & particularly enumerated, and the treaty-making power having been explicitly given to the president and the senate, no constitutional compact can consequently be formed, with a foreign government, but by the president and senate. The act of May 1810, can by us be considered only as a rule of conduct to the executive, and to the people of the United States. It directed our president, in a stated event, to issue his proclamation declaring the fact, and it prescribed to our people the course of trade, that, on that fact being proclaimed, was to France and Great Britain. Its purpose, could not be considered by us as a proposition to the two belligerents, as congress is not constitutionally competent to the making of such an overture. This power has been wisely committed exclusively to the executive. And the wisdom of this salutary provision has been, negatively, illustrated by the humiliating embarrassments that have resulted from the practice resorted to of late by the executive, of preparing and sending to congress, to be passed into laws, bills touching subjects, which are the legitimate objects of diplomatic discussion and adjustment.

But it may be alledged, that in this case the overture had been formally presented by the executive to the French government through our minister at Paris, and that in consequence thereof, the letter of the Duke of Cadore of the 5th August 1810, had been communicated. To this, the obvious answer is that the president has no authority under our constitution to form with a foreign power a compact binding on the U. States, but by a treaty with the concurrence of two-thirds of the senate.

This crude arrangement with France, although brought about in a manner not recognised by the constitution, is, it would seem, to be considered as having all the force and effect of a treaty offensive and defensive; and, under its baneful and