

# RALEIGH REGISTER,



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Observe the plans of fair, delightful Peace,  
Unwar'd by partyrage, to live like Brothers.

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### Political.

From the National Intelligencer.

The following extraordinary publication from the late Secretary of State has appeared in the form of a pamphlet, as well as in most of the newspapers in opposition to the government, and perhaps in some of a different character. It is now some weeks since it was exultingly announced by federal prints that Mr. Robert Smith was about to publish "an attack on Mr. Madison." We had flattered ourselves that the conductors of these journals had suffered their hopes of discord to deceive them, and that a regard for his own reputation and feelings, if not for the public good, would have withheld the threatened publication of Mr. Smith. But the appearance of his address has dissipated hopes so rationally entertained, and given birth to feelings painful in proportion to the regret we feel at being irresistibly impelled, by every consideration of principle, to express sentiments, in relation to its author, very different from those we have been disposed to entertain. The publication in question is highly reprehensible in a variety of respects; as a shameful breach of official and personal confidence; as an underhand insidious recurrence to circumstances in which he cannot be chastised by contradiction, the facts being known only to the party attacked, whose official station forbids a reply, even for the refutation of calumny; as a malignant though feeble attempt to pull down the government and constitution which he was bound by every tie of honor and honesty to support. We here present to our readers the pamphlet complete, and in our next number shall follow it with some strictures. In this task we shall however confine ourselves to a single review of the document itself. We shall pry into no office secrets to test the truth or detect the falsity of any of its statements; we shall not ask from the President any facts within his knowledge; since he certainly would not stoop to impart them for the sake of repelling a pitiful assault on his personal character. No, we will not even strip the recalcitrant production of this cloak, so scant indeed to hide its deformity. We take the publication in our closet and dwell only on its inherent character, expose its nefarious principle and notice its glaring absurdities.

### ROBERT SMITH'S ADDRESS

To the people of the U. States I owe an exposition of the circumstances, which have produced my resignation of the office of Secretary of State. This duty, as some as it is, it is my purpose now to perform. It is unexpectedly devolved upon me by the irresistible necessity of obviating the honest misapprehensions of some and the wanton misrepresentations of others. Constrained, then as I reluctantly am, to come forth, I have in this outset only to premise that this exposition shall be nothing but a brief unvarnished statement of facts, with the super-addition of only such observations as may occasionally be necessary to a distinct understanding of the narration. My object is the vindication of myself; and if in this vindication there should be involved any serious questions as to Mr. Madison, it will only be because such a result is inevitable. In this undertaking I have an eye to the storm that I will have to buffet; a storm that will be excited by the parasites of power; but I, at the same time, enjoy the consolation of having in my view the American axiom, "Measures and not men"—the distinguishing characteristic of the independent people of a representative republic. Besides, it is a truth obvious to every understanding, and confirmed by universal experience, that "in all the exertions of duty something is to be hazarded."

Mr. Madison's offer to me of the mission to Russia, which he allowed to be "of the utmost importance to the commerce of the United States, and the most honorable appointment abroad that is in the gift of our government," is demonstrative proof of his confidence in me, as to fidelity and as to capacity in public affairs.

This offer was accompanied with many observations, in appearance respectfully made as to the contrariety of opinion that had unhappily existed between him and myself with respect to certain measures and to certain nominations, and in which he seemed to glance particularly at the bills touching our foreign relations, that had been introduced by Mr. Macon at the session of 1809-10, and to the non-intercourse law of the last session. Although his language in the offer of the mission and in the accompanying observations, was not at all offensive, yet there were indications of embarrassment & awkwardness, that excited in my mind a doubt as to his real object. Under the influence of this suspicion, rising from my seat, I with a decorum due to a President of the U. States, distinctly informed him, that owing to our different views

of many subjects, I had some time since formed a determination to withdraw from his administration; that I had actually communicated to some of my friends this determination; and to accomplish my purpose I had been only waiting for an occasion, wherein it could be effected without endangering conflicting agitations among our respective friends—and, in retiring from his room, I remarked to him, that I would duly consider whether the offer of the mission to Russia would afford such an opportunity. With inexpressible astonishment howbeit, I in a few days learned, that during the last session certain members of Congress had been enabled, in returning to their respective homes, to state that this identical offer would be made to me with the view of putting Mr. Monroe in the Department of State. This intelligence, of course mentioned with a becoming indignation to Mr. Madison upon his application afterwards to me for the result of my reflections on the proposed mission. He, immediately, but with evident confusion, protested that he had not in any manner whatever authorised such a report, or even such an idea. I replied that I surely ought not to attribute to a President of the United States a transaction so base. But as a report of so delicate a character had actually gone forth, my sense of honor would not hesitate a moment in rejecting the offer of the mission.—Nor could I, upon the same principle, allow myself under such circumstances to retain my commission of Secretary of State. I closed the conversation by remarking with great composure, that there must have been in this affair a most shameful intrigue. And, with very great difficulty, I suppressed the inclination I felt, to tell him, that of this intrigue he had inconsiderately been the dupe.

The power of a President of the U. States to remove any officer other than a judge, will not be controverted. Nor will any pretension be set up so absurd as a right to an office. But it is maintained that this power cannot consistently with the genius of our government and with the respect due to the Senate, be exercised, as under an arbitrary despotism, at the mere caprice of the chief; but that in every such exercise of power, a President of the United States must necessarily act upon his responsibility to his constituents for the rectitude of his motives. This brings me to the ground to be examined, namely, the measures alluded to by Mr. Madison, upon which has been founded his conduct towards me on this occasion. Each, then, of the several measures, important or unimportant, in which there has been, at any time a difference of opinion between us, I will now, unreservedly, in distinct articles, present to the view of the American people, with a hope, perhaps delusive, that they will therein find an apology, if not a justification in my behalf.

Art. I. The following letter was not prepared in virtue of any direction, or even intimation from Mr. Madison. It was written and sent by me when he was at his seat in Virginia. Before his departure from Washington, he, however, knew that I had it in contemplation to make such a call upon Mr. Erskine, and as he had expressed no disapprobation, it of course took place. But I have since learned that he was not a little displeas'd that such an enquiry had at all been stirr'd. My fellow-citizens, in reading the letter & adverting to the demerit, will, I trust have no difficulty in estimating the purity of my motives, and as little in discovering the ground of his displeasure.

Mr. Smith to Mr. Erskine.

Department of State, August 9, 1809

SIR—I have just received from Mr. Pinkney, a letter, inclosing a printed paper, purporting to be a copy of a dispatch to you from Mr. Canning, which states, among other things, that "from the report of your conversations with Mr. Madison, Mr. Gallatin and Mr. Smith, it appears—

1st. "That the American government is prepared, in the event of his Majesty's consenting to withdraw the orders in council of January and November, 1807, to withdraw, contemporaneously on its part, the interdictions of its harbors to ships of war, and all non-intercourse & non-importation acts so far as respects Great-Britain, leaving them in force with respect to France and the powers which adopt or act under her decrees:

2d. "That America is willing to renounce, during the present war, the pretension of carrying on in time of war all trade with the enemies' colonies, from which she was excluded during peace.

3d. "G. Britain for the purpose of securing the operation of the embargo, and the bona fide intention of America, to prevent her citizens from trading with France, and the powers adopting and acting under the French decrees, is to be considered as being at liberty to capture all such American vessels as may be found attempting to trade with the ports of any of these powers; without which security for the observance of the embargo, the raising it nominally, with respect to G. Britain alone, would in fact raise it with respect to all the world."

I have the honor to request you to favor me with such explanations as your candor will at once suggest, in relation to these imputed conversations.

I forbear to express to you, sir, the surprise that is felt at the extraordinary pretensions set forth in this letter of instructions, and especially at the expectation that this government would, as a preliminary, recognize conditions, two of which are so manifestly irreconcilable to the dignity and interest of the U. States. I however, would remark that had you deemed it proper to have communicated *in extenso* this letter, it would have been impossible for the President to have perceived in its conditions or in its spirit, that conciliatory disposition which had been professed, and which it was hoped, had really existed.

I am, &c. R. SMITH.

Art. 2d. There was a serious difference of opinion between Mr. Madison and myself upon the bill, touching our foreign relations, which was introduced by Mr. Macon early in the session of 1809-10. The policy developed in that bill, became at once a subject of universal disapprobation. Not a word in its favor was to be found in any print. It was, therefore, most fortunately not forced upon the nation. In its place, however, was substituted the act of May 1810, which the voice of the people in the expression of their indignation, indeliberation, called Macon No. 2.

All that odium, which these two bills had excited throughout the U. States, was by a certain management fastened upon Mr. Macon and others. In these measures, as unwise as humiliating, Mr. Madison was not at all seen by his constituents. Not a suspicion was entertained that he had any participation in acts so poorly calculated to effectuate their professed purpose of avenging the insults, of repairing the injuries, and of maintaining the rights of the U. States. To account, then, for the very acute sensibility of Mr. Madison as to these two bills, it has become indispensably necessary to the purpose of this address, to draw the mysterious curtain, that had at first entirely, and yet does in part, veil these transactions, and to state to my countrymen that the reprobated bills, usually called Macon's bill, No. 1, and Macon's bill, No. 2, were in fact the special contrivance of Mr. Madison himself; that they were his great and efficient measures of the session; that instead of being recommended to Congress by the President himself, as the constitution wisely required, they were severally, through a certain medium, handed to Mr. Macon, to be, it would seem, by him recommended.

Of these two measures, which were alike regardless of the prosperity and honor of the U. S. I could not permit myself to be the advocate, and, especially, as I was well persuaded that the good sense, the honorable principles and the patriotic feelings of my countrymen would utterly condemn them.

Art. 3. During the session of 1809-10, certain members of the legislature, not satisfied with the policy of the measure, that had been proposed by Mr. Macon, strongly and repeatedly urged Mr. Madison to recommend to Congress by a message, the necessity of bringing forth the resources of the nation for the purpose of *avenging the insults, of repairing the injuries, and of maintaining the rights of the U. States.* Yielding to their importunities, he finally sent to Congress the following message.

The President's Message to both Houses of Congress, delivered on the 3d January, 1810.

"To the Senate and House of Representatives of the U. States,

The act authorising a detachment of one hundred thousand men from the militia will expire on the 30th of March next. Its early revival is recommended,

in order that timely steps may be taken for arrangements, such as the act contemplated.

Without interfering with the modifications rendered necessary by the defects, or the inefficacy of the laws restrictive of commerce or navigation, or with the policy of disallowing to foreign armed vessels, the use of our waters; it falls within my duty to recommend also, that in addition to the precautionary measure authorised by that act, and to the regular troops, for completing the legal establishment of which enlistments are renewed, every necessary provision may be made, for a volunteer force of twenty thousand men, to be enlisted for a short period, and held in a state of organization and readiness for actual service at the shortest warning.

I submit to the consideration of Congress, moreover, the expediency of such a classification and organization of the militia, as will best insure prompt and successive aids, from that source, adequate to emergencies, which may call for them.

It will rest with them also, to determine how far further provision may be expedient, for putting into actual service, if necessary, any part of the naval armament now employed.

At a period presenting features in the conduct of foreign powers towards the U. States, which impose on them the necessity of precautionary measures, involving expence, it is a happy consideration that such is the solid state of the public credit, that reliance can be placed on any legal provision that may be made for resorting to it, in a convenient form and to an adequate amount.

JAS. MADISON.

To this message I had the following objections.

1st. If the honor and interest of the U. States did in fact imperiously call for war, then, instead of the half-way measures contemplated in the message, the recommendation ought to have been that the abundant physical resources of the nation should be duly organized & brought forth with a tone that would unequivocally manifest at home and abroad a determination to take a manly stand, and especially, as such a precautionary measure has not unfrequently had the effect of averting war.

2d. If war was not the real object, whence was the necessity of filling the public mind with the alarm of war?—Whence the propriety of expending our treasures in calling to arms 20,000 such men? Whence the policy of trifling with the manly, generous feelings of a brave, honorable, enterprising people, as are the People of the U. States?

3d. At all events, whatever may have been the real object, the studied ambiguity of the language of the message, formed itself a sufficient objection. Of his ambiguity Mr. Madison was duly apprised. And as was foreseen, members of Congress, not comprehending its meaning, applied, but in vain, for the requisite explanation. At length a republican senator, distinguished by his sound principles as a statesman, did in a very able speech make, among other topics, the following pithy comment on this extraordinary message:

"The President's message of the 3d inst. has been introduced by the chairman of the committee in support of this bill. Feeble must be the aid which this measure can derive from that source.

This message in point of obscurity comes nearer to my idea of a Delphic Oracle than any state paper which has come under my inspection. It is so cautiously expressed that every man puts what construction on it he pleases. Is he for war? The message breathes nothing but destruction and bloodshed. Is he for peace? The message is mere milk and water, and wholly pacific. Is he for the bill before you? The message calls for its passage. Is he a friend to a large standing army? Why then the message means 20,000 regular troops. Is he friendly to the militia? The message does not call for regular troops—it means militia. Thus, sir, this message means anything or nothing, at the will of the commentator. If this message is oracular in its meaning, it was no less miraculous in its promulgation. The newspapers to the east of this stated that such a message would be delivered, and stated its contents nearly one week before it reached the two Houses of Congress.—To account for this phenomenon, is neither within my power or province.

Art. 4. The non-intercourse law of the last session was also the device of Mr. Madison. It too was introduced by Presidential machinery.

Should this statute be viewed, as it ought to be, in connection with and emanating from the Law of May, 1810, then will we have to look for the 'fact' required by that law, namely the actual revocation of the Berlin and Milan decrees.

If this revocation did in fact take place, as declared by the proclamation, then the act of May, communicated as it had been by the Executive to the two belligerent powers, did become *ipso facto* a compact between the U. S. and France, & in that case neither party had a right to disregard, or by law to change, its stipulated terms and conditions, as this government confessedly did by the non-intercourse act of the last session.

The act of May, 1810, it is a sorrowful truth, did not provide for several obvious cases, wherein our merchants must necessarily have been much injured in the event of that law having been carried into effect in the crude form in which it had been passed. Of this providence, our citizens might, in such case, well have complained against their Representatives, as well executive as legislative; but from it our government most assuredly could not have deduced a right to alter of itself the conditions of the compact. The other party might indeed, from a sentiment of compassion for our artless simplicity, have consented to such a change; but without such an acquiescence, it could not, upon any principle of natural or political law, be done.

If however the Emperor of the French did not in fact revoke, as declared by the proclamation, the Berlin and Milan decrees, the act of May did not become a compact between the U. S. and France, and in that case his Imperial Majesty had no claim against this government, founded on that statute, to enforce the non-intercourse against the other belligerent.

What, then, was the evidence which had induced Congress to consider these decrees as repealed, and which had accordingly induced them to pass the non-intercourse law? To the President in this, as in every other case touching our foreign relations, the Legislature must necessarily have looked for information and recommendation. From him they had in due form received what they imagined they were officially bound to consider as satisfactory evidence of the repeal of these decrees, namely, his proclamation and his message containing a recommendation to enforce the act of May, 1810. In respect then to this evidence and in pursuance of this recommendation, did Congress pass the act called the non-intercourse law of the last session?

This non-intercourse law, let it be distinctly kept in mind, was passed after the arrival at Washington of the new French Minister, viz. on 2d of March, 1811. And I have, moreover, to entreat you, my countrymen, deliberately and dispassionately to view it in connection with my letters\* to Gen. Armstrong of the 5th of June and 5th July, 1810, with my letter to Gen. Turreau of the 18th Dec. 1810, and with the information hereinafter detailed in the 8th article of this address. And then I trust they will have a clear perception of the real ground of Mr. Madison's enmity to me with respect to this measure.

Notwithstanding the precise protestations, solemnly communicated to the French government and openly promulgated to the whole world, in virtue of the letters from the State Department of June and July, 1810, that "a satisfactory provision for restoring the property lately surprised and seized by the order

\* Extract of a letter from the Secretary of State to Gen. Armstrong, dated July 5, 1810.

"If, however, the arrangement contemplated by the law should be acceptable to the French government you will understand it to be the purpose of the President not to proceed in giving effect, in case the late seizure of the property of the citizens of the U. S. has been followed by an absolute confiscation, and restoration be finally refused.—The only ground, short of a preliminary restoration of the property, on which the contemplated arrangement can be made, will be an understanding that the confiscation is reversible, and that it will become immediately the subject of discussion with a reasonable prospect of justice to our injured citizens."

Extract of a letter from the Secretary of State to Gen. Armstrong, dated July 5, 1810.

"As has been heretofore stated to you, a satisfactory provision for restoring the property lately surprised and seized by the order or at the instance of the French government, must be combined with a repeal of the French Edicts, with a view to a Non-Intercourse with G. Britain, such a provision being an indispensable evidence of the just purpose of France towards the United States."