Republican Star, (Extra.)

EASTON:—TUESDAY MORNING, JULY 16, 1811.

R. SMITH's ADDRESS TO THE PEOPLE OF THE UNITED STATES.

To the people of the United States I owe an exposition of the circumstances which have produced my resignation of the Office of Secretary of State. This duty, irksome 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 the outset only to premise, that this exposition shall be nothing but a brief unvarnished statement of facts, with the superaddition 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 distinguished characteristick 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 exertions of duty something is to be hazarded."

Mr Madison's offer to me of the mission to Russia, which he has allowed to be "of the utmost importance to the U. 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 certain *nominations*, and 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 at 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 and 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 the 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, however, 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. Munroe in the Department of State. This intelligence I, of course, mentioned with 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 U. States a transaction so base. But as a report of so delicate a character had actually gone forth, my sense of honour could 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 as 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 must necessarily act upon his own 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 he has 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 displeased that such an inquiry had been at all stirred. My fellow citizens, in reading the letter and in adverting to the *denoument*, 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, Aug. 9, 1809*

SIR

I have just received from Mr. Pinkney, a letter, enclosing a printed paper, purporting to be a copy of a despatch to you from Mr. Canning, which, states, among other things, that 'from the report of your conversations with 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 interdiction of its harbours to ships of war, and all non intercourse and non-importation acts, so far as respects G 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, nd 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 Great Britain alone, would in fact raise it with respect to the whole world.'

I have the honour to request you to favour me with such explanations as your candour 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 irreconcileable to the dignity and interest of the U. S. 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.

(Signed) R. SMITH.

The hon. D. M. Erskine, &c. &c.

ART. II. 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 favour 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, in derision, 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 approbated bills, usually called Macon's Bill, No 1, and Macon's Bill, N. 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 has 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 of the honour of the U. States, I could not permit myself to be the advocate, and, especially, as I was well persuaded that the good sense, the patriotick feelings of my countrymen would utterly condemn them.

ART III. 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. S.* 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 of January, 1810*

To the Senate and House of Representatives of the U. S.

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 and 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 ensure 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 not 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 expense, it is a happy consideration that such is the solid state of the public credit, that reliance can be justly placed, on any legal provision that may be made for resorting to it in a convenient form, and to an adequate amount.

JAMES MADISON.

Jan. 3. 1810.

To this message I had the following objections.

1st. If the honour and interest of the United States did not in fact imperiously call for, 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 and 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 extending 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 United States?

3d. At all events, whatever may have been the real object, the studied ambiguity of the language of the message formed of itself a sufficient objection. Of this 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, as well as by his independent feelings as a gentleman, did in a very able speech make among other topics the following pithy comment upon 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 my ideas 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 upon 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 any thing, 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 IV The non intercourse law of the last session was also the device of Mr. Madison. It was introduced by presidential machinery.

Should this statute be viewed *as it ought to be*, in connection with and as 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 United States & France, and 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 improvidence our citizens might, in such case, well have complained against their representatives, executive as well 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 United States and France, and in that case, his imperial majesty had no claim against this government, founded upon that statute, to enforce the non intercourse against the other belligerent.

What, then, was the evidence which had induced Congress to consider these decrees 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.

The non intercourse law, let it be distinctly kept in mind, was passed after the arrival at Washington of the new French minister, viz on the 2nd day of March, 1811. And I have, moreover, to entreat my countrymen deliberately and dispassionately to view it in connexion with my letters* to general Armstrong of the 5th of June and 5th of July, 1810, with my letter to General Turreau of the 18th December, 1810, and with the information hereafter 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 protestation, 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 surprized 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 Great Britain*," yet it is a fact, that before the passing of the non-intercourse law of the last session, viz. on the 20th Feb. 1811, the French government did officially and formally through their minister Mr. Serrurier, communicate to this government the fixed determination *not to restore the property that had been so seized*: And, moreover, from the information which had been received by Mr. Madison, prior to the date of the non intercourse law, it was, at the time of passing it, evident to my mind, that the Berlin and Milan decrees had not been revoked, as had been declared by the proclamation.

ART. V. At the session of congress, 1809, 10, a law passed making some new regulations as to ministers & Barbary consuls. To this law Mr. Madison saw strong objections—so strong, indeed that he has hitherto utterly disregarded its provisions. Not having deemed it advisable, at the time this bill was submitted to him for his approbation, to return it with his negative; and not having considered it expedient at the last session to recommend, as the *constitution* requires, its repeal or its modification; he, at a late period of the session, pressed me much to prevail upon some member to introduce with that view, a bill to congress. I remarked to him, as respectfully as I could, that I had powerful objections to every kind of private intermeddling with the business of members of the legislature, and, specially, to such secret modes of recommending public measures to the consideration of congress. He received my remark with great perturbation and was evidently much displeased.

Owing to the untoward provisions of this law and to the unfortunate rules of Mr. Madison's calculating policy, six at least of our functionaries abroad, not holding these appointments as this law directs, are not entitled to and cannot receive the compensation provided by law for their services.

ART. VI. Sensible as I ever have been, to the insults and injuries which the United States have received, again and again, from Great Britain, I have at no time been blind to the reiterated outrages of France. And whatever may have been my view of acts and proceedings of either of these powers, compared with those of the other; I, in my discussions with their respective functionaries, have invariably had my eye steadily on the rights, the interest and the honour of the U. States.—Never have I felt a disposition to identify my country with either of the belligerent nations. Never did I abstain from asserting the right or from vindicating the honour of the U States from an apprehension that either France or Great Britain might thereby be exhibited to the world in an odious point of view. The following draught of a letter to Gen. Armstrong was accordingly prepared by me immediately after the letter† of the Duke of Cadore, to which

---

* *Extract of a letter from the Secretary of State, to General Armstrong, dated*

JUNE 5th, 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 it effect, in case the late seizure of the property of the citizens of the United States 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 revertible, 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 General Armstrong, dated

"JULY 5th, 1810.

"As has been heretofore stated to you, a satisfactory provision for restoring the property lately surprized 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 Great Britain*; such a provision being an *indispensable* evidence of the just purpose of France towards the U. States."

† *The letter of February 14, 1810, from which the following is an extract*

"His majesty could place no reliance on the proceedings of the United States, who having no ground of complaint against France, comprised her in their acts of exclusion, and since the month of May have forbidden the entrance of their ports to French vessels under the penalty of confiscation. As soon as his majesty was informed of this measure, he considered himself bound to order reprisal on American vessels not only in his territory, but likewise in the countries which are under his influence. In the ports of Holland, of Spain, of Italy and of Naples, American vessels have been seized, because the Americans have seized French vessels. The Americans cannot hesitate as to the part which they are to take. They ought