

COMMUNICATION.

FOR THE EXPOSITOR.

Mr. Roger,

THE division between the republicans, during the last session of Congress, produced, at the time, an earnest inquiry into the cause. The quarrel arising, however, out of transactions which were not before the public, the republicans of the United States could only decide from personal confidence, and, of course, decided in favour of those who had been longest tried. For Mr. John Randolph, who appeared as the accuser of the administration, a general respect was entertained as a man of integrity and talents; but it was impossible not to see, in his public conduct, an irritability which must sometimes betray him into error, and a persecution of those to whom he was unfriendly, which demanded a distrust of his invective. Although the confidence of the people in the executive of the United States resisted the attack, it should not be relied on after the means of judging of the question can be furnished. Fortunately these means now exist in two publications of persons engaged in the contest. A writer in a Virginia paper, under the signature of Decius, who is supposed to be Mr. John Randolph, has published a justification of that gentleman's conduct, and has made a disclosure of the secret facts of the case. An answer to Decius has appeared in the Boston Chronicle, probably written by Mr. Bidwell, of Massachusetts, which will bring the subject pretty fully before the public. From these I think it will appear, that there was not the slightest ground of attack on the executive; and the reader will be irresistibly led to search for some previous ill-will in its author, or to consider it as one of those eccentricities, to which high-toned minds are liable. I now send you the paper of Decius for publication, and at some future day will send you the answer, with a short summary of the whole case.

To the Editor of the Richmond Enquirer.

Sir,

The events of the last session of Congress have furnished ample cause of speculation to the curious, and of regret to every true friend of his country. The mystery which enveloped their proceedings, and beneath which some of their most important transactions, yet remain shrouded, could not conceal from the most careless observer, that a schism had arisen in the republican party. But the causes which led to this afflicting event, are still buried in obscurity. In the history of this memorable occurrence, all is darkness, confusion, and contradiction. The public mind, impatient of suspense, and as if despairing of further information, seems to have out-run the evidence, upon which alone its judgment should have been bottomed. So far as their opinion can be gathered from the public prints, the voice of the people has declared for the administration. In this decision, perhaps, it might have been the duty of the republican minority, and of their friends to acquiesce, had a fair view of the subject been laid before the public. But knowing as I do, from the most indisputable proof, that facts have been misstated, opinions misrepresented—much truth suppressed and more falsehood suggested—approving at the same time, from my heart, the course which they have pursued, I am impelled to offer to the world some facts and observations, which may enable them to form a more just opinion of the conduct of the republican minority, during the last session of Congress, and of the motives by which they were probably actuated.

It must be obvious to the most superficial eye, that every consideration of a selfish or prudential nature, would have dissuaded any man, or set of men, among the republicans, from an open opposition to any leading and favourite measure of the executive, at that juncture. The president of the U. S. had just been re-elected, by a great and imposing majority of the people. The acquisition of Louisiana has given an eclat to the executive,

and cast a splendour around the administration, in which every minor defect of the government was eclipsed and forgotten. The colossal popularity of the president seemed to mock at all opposition. Unmindful of past and dear-bought experience, the republicans had erected a political idol, on whose altars he who dared to question its infallibility, must prepare to bleed. In this position of affairs, all opposition was indeed a forlorn hope. There was every thing to lose—nothing to gain. The minority had only to compromise their principles to betray their duty to themselves, their constituents, and their country, in order to enjoy the countenance of the administration, to ensure the approbation of the public, for a time, and their own contempt for ever. They had but to acquiesce in measures which their conscience and judgment condemned, and swim in ignoble security with the current of the day. They were not insensible to the danger of the opposite course; but whilst they coolly estimated the difficulty, they had the fortitude to encounter it. Let it be admitted for a moment, that these gentlemen were mistaken in their views; still I pronounce, that he who does not applaud their independence and firmness, is unworthy the name of freeman. They had the courage to assert and maintain the deliberate convictions of their honest judgment against the pre-empt authority, and preferred the hazard of their popularity to the surrender of their undertakings and consciences. Let the people look to it. Is there any danger of a dearth of time-servers, under any administration, which has the power of rewarding them?—that due respect will not always be paid to the loaves and fishes? The history of this government, of every executive with regal powers, must answer the question. Let the members constituting the republican minority, be dismissed from the confidence and employment of the people—can they look for any thing like independence in their successors? It would indeed be an idle expectation. They must cater upon their legislative duties with instructions to lay aside the suggestions of their own understandings, and conform themselves in all things to the wishes of the cabinet. The first lesson which they learned would teach them to consider any variation from the executive standard, as the most heinous sin in the political catalogue. Would such men dare to oppose any presidential project, however criminal? From the very nature of their appointment, they must become the puppets of the administration for the time being. A house of representatives, so constituted, must dwindle into a mere chamber for enregistering ministerial edicts: and whilst the forms of the constitution were preserved, its substance would vanish.

On the third of December, 1805, the president's public message was laid before the two houses of Congress. The aggressions of Spain were specially noticed. "With Spain (says the chief magistrate) our negotiations for a settlement of differences have not had a satisfactory issue. Spoiliations during the former war, for which she had formally acknowledged herself responsible, have been refused to be compensated, but on conditions affecting other claims in no wise connected with them; yet the same practices are renewed in the present war, and are already of great amount. Our commerce through the Mobile continues to be obstructed by arbitrary duties and vexatious searches. Propositions for adjusting amicably the boundaries of Louisiana have not been acceded to. Whilst, however, the right is unsettled, we have avoided changing the state of things, by taking new posts, or strengthening ourselves in the new territories, in the hope that the other power would not by a contrary conduct oblige us to meet their example, and endanger conflicts of authority, the issue of which may not be easily controuled. But in this hope we have now reason to lessen our confidence. Inroads have been recently made into the territories of Orleans and the Mississippi. Our citizens have been seized, and their property plundered in the very parts of the former which had been actually delivered up by Spain, and this by the regular officers and soldiers of that government. I have therefore found it necessary at length, to give orders to our troops on that frontier, to be in readiness to protect our citizens,

and to repel by arms any similar aggressions in future.

It should be kept in mind that the "piratical acts" (mentioned in the second paragraph of the same message) "committed at the very mouths of our harbours, by private armed vessels, some with illegal commissions, others, with those of legal force, but transcending the authority of those commissions, plundering and sinking our vessels, and exposing their crews in open boats on desert shores," were perpetrated chiefly, if not exclusively, by Spanish and French privateers, fitted out principally from the eastern ports of Cuba.

In the third paragraph, Congress was called upon to make effectual and determined opposition to the new principles interpolated into the law of nations:—in reference, no doubt, to certain decisions of the British court of Admiralty. This address was re-echoed by a spirited (how-ever precipitate) resolution of the Virginia assembly.

On the sixth day of December, the following confidential message was received from the President:

"The depredations which had been committed on the commerce of the U. S. during a preceding war, by persons under the authority of Spain, are sufficiently known to all. These made it a duty to require from that government indemnification for our injured citizens. A convention was accordingly entered into between the minister of the U. S. at Madrid, and the minister of that government for foreign affairs, by which it was agreed that spoiliations committed by Spanish subjects, and carried into ports of Spain, should be paid for by that nation; and that those committed by French subjects, and carried into Spanish ports, should remain for further discussion. Before this convention was returned to Spain with our ratification, the transfer of Louisiana by France to the U. S. took place—an event as unexpected as disagreeable to Spain. From that moment she seemed to change her conduct and disposition towards us. It was first manifested by her protest against the right of France to alienate Louisiana to us; which, however, was soon retracted, and the right confirmed. The high offence was manifested at the act of Congress establishing a collection district on the Mobile, although by an authentic declaration immediately made, it was expressly confined to our acknowledged limits; and she now refused to ratify the convention signed by her own minister under the eye of his sovereign, unless we would consent to alterations of its terms which would have affected our claims against her, for spoiliations by French subjects carried into Spanish ports.

"To obtain justice, as well as to restore friendship, I thought a special mission advisable; and accordingly appointed James Munroe minister extraordinary and plenipotentiary to repair to Madrid, and in conjunction with our minister resident there, to endeavour to procure a ratification of the former convention, and to come to an understanding with Spain, as to the boundaries of Louisiana. It appeared at once that her policy was to reserve herself for events, and in the mean time to keep our differences in an undetermined state. This will be evident from the papers now communicated to you. After nearly five months of fruitless endeavour to bring them to some definite and satisfactory result, our ministers ended the conferences, without having been able to obtain indemnity for spoiliations of any description, or any satisfaction as to the boundaries of Louisiana, other than a declaration that we had no rights eastward of the Iberville, and that our line to the west was one which would have left us but a string of land on that bank of the river Mississippi. Our injured citizens were thus left without any prospect of retribution from the wrong doer; and as to boundary, each party was to take its own course. That which they have chosen to pursue will appear from the documents now communicated. They authorize the inference that it is their intention to advance on our possessions, until they shall be repressed by an opposing force. Considering that Congress alone is constitutionally invested with the power of changing our condition from peace to war, I have thought it my duty to await their authority for using force in any degree which could be avoided. I have

barely instructed the officers stationed in the neighbourhood of the aggressions, to protect our citizens from violence, to patrol within the borders actually delivered to us, and not to go out of them, but when necessary to repel an inroad, or to rescue a citizen or his property; and the Spanish remaining at New-Orleans, are required to depart without further delay. It ought to be noted here, that since the late change in the state of affairs in Europe, Spain has ordered her cruisers and courts to respect our treaty with her.

"The conduct of France, and the part she may take in the misunderstandings between the U. S. and Spain, are too important to be unconsidered. She was prompt and decided in her declarations, that our demands on Spain for French spoiliations carried into Spanish ports, were included in the settlement between the U. S. and France. She took at once the ground, that she had acquired no right from Spain, and had meant to deliver us none eastward of the Iberville: her silence as to the western boundary leaving us to infer her opinion might be against Spain in that quarter. Whatever direction she might mean to give to these differences, it does not appear that she has contemplated their proceeding to actual rupture, or at the date of our last advices from Paris, her government had any suspicion of the hostile attitude Spain had taken here. On the contrary, we have reason to believe, that she (France) was disposed to effect a settlement on a plan analogous to what our ministers had proposed; and so comprehensive as to remove, as far as possible, the grounds of future collision and controversy on the eastern as well as western side of the Mississippi.

"The present crisis in Europe is favourable for pressing such a settlement, and not a moment should be lost in availing ourselves of it. Should it pass unimproved, our situation would become much more difficult. Formal war is not necessary: it is not probable that it will follow, but the protection of our citizens, the spirit and honour of our country require that force should be interposed in a certain degree. It will probably contribute to advance the object of peace.

"But the course to be pursued will require the concert of means, which it belongs to Congress exclusively to yield or deny. To them I communicate every fact material for their information, and the documents necessary to enable them to judge for themselves. To their wisdom when I look for the course I am to pursue, and will pursue with sincere zeal that which they shall approve."

This message, with the documents accompanying it, was referred to a secret committee consisting of Mr. John Randolph, Mr. Nicholson, Mr. John Cotton, Mr. Mumford, Mr. Williams of C. Mr. Bidwell, and Mr. Brown.

It may be proper to remark that this message, although deemed by the clerk as he stated to the house) to be a part of the secret journal which had been ordered to be printed, was nevertheless omitted, nor has the omission ever been satisfactorily accounted for. The house by a subsequent vote refused to make it public.

[To be continued.]

• Coalition between Austria, Russia, and Great Britain, it is presumed.
† Leaving Mr. Talleyrand "to infer" that it would afford him a second glorious occasion of popping his hands into our pockets.
‡ Our ministers had proposed to surrender the claims to compensation for the withholding of the right of deposit at New-Orleans, and for spoiliations, Spanish as well as French, and to establish the Colorado as the western boundary of Louisiana. Although the Colorado is a vast distance to the west of the existing limit between the two nations, it was evident, from the face of the disatches, that our ministers in agreeing to establish that river as the boundary had been obliged to exceed the authority of their instructions; (the government of the U. States claiming to the river Bayou.) This proposition (the ultimatum on our part) was rejected by the court of Madrid with disdain, and thus ended the negotiation. Yet France, it seems, was disposed to a settlement on "analogous terms;" although Mr. Talleyrand had, in the most declamatory style, declared, that our claim on Spain, for French spoiliations carried into Spanish ports, "must be abandoned."

THE following paragraph lately appeared in a Provincial newspaper:—"Travelers should be careful to deliver their luggage to proper persons, as a gentleman, a few days since, on alighting from a stage-coach, entrusted his wife to a stranger, and he has not heard of her since."

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