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For the National Intelligencer.

To the PEOPLE.

THE DEFENCE.

No. I.

THE period draws near, when you will be called upon to exercise one of the highest functions with which freemen can be invested. They alone deserve the name who chuse their own rulers, and through them make their own laws. This is your prerogative! May it long remain so, whatever the infatuation and folly of other nations! And while we pity the low state to which their ignorance and a tyrant's wrongs have reduced them, let us cherish, with the zeal of our fathers, the lofty sentiments of freedom, sealed with their blood.

Devoted to liberty and justice, the history of the world should teach you, as you wish to preserve them, to be jealous and vigilant. It should teach you that rulers are more apt to be tyrants than servants: and that, with whatever sanctity they may declare themselves the friends and guardians of your rights, they are most apt, under this insidious mask, to subvert them by a criminal career of ambition. *It is true,* that they generally flatter to betray you; and that while they are busied in the immolation of liberty, they are loudest in its praise.

As then you value your rights, examine with an unbending severity the conduct of your rulers. The more important the duties with which a public character is invested, the more imperious the necessity of a rigid scrutiny. When the station to be filled is the highest in your power to bestow, the duty becomes a sacred one; and you become traitors to yourselves not to discharge it. It is criminal in a man to play the tyrant; but that crime is of the deepest hue which a free people perpetrate by neglecting the means for the preservation of their liberties. The tyrant is hurried on by the fury of his passions; while the people have no inducement under Heaven to abandon their duty. The first may influence the period in which he lives: while the last too often decides for ages the destiny of a nation.

You are called on once in four years to elect your Chief Magistrate. In the discharge of this duty, at the last period, you raised to that high station a citizen distinguished for the various services rendered to his country. Of manners simple, affable and winning, and with an understanding penetrating and perspicacious, he had long commanded in the wide circle of his friends a respect softened by affection. Even his enemies, notwithstanding their dislike of his political opinions and actions, acknowledged their love for the man. Enured from infancy to the active scenes of life, and called by the exigencies of the revolution to a vigorous participation in its toils, he had, notwithstanding, found time to pursue the early bias of a mind attached to philosophical pursuits, and from the action of a sound judgment upon a large stock of acquired materials, had gained a reputation in the literary world.

It is not surprising, therefore, that we find him in the legislature of his own state, then the widest field of action presented by the state of the country, animated by the honest enthusiasm of youth, transcending the dull routine of duty, and laying the foundations of future greatness and prosperity by devising and recommending plans of great and general utility. Three vast objects appear to have engaged his patriotic efforts; education, religious toleration, and the reform of the criminal code. Like other philanthropists he but in part succeeded. He obtained something to be done to advance the interests of learning; and he lost only by the casting vote of the Speaker a law for mitigating the penal code. On the interesting point of religion his victory was complete; and every man was guaranteed the free exercise of his conscience and religious opinions. But, however imperfect the success of his plans, he sowed seeds in a soil far from incongenial, which have since rewarded all his efforts. He has the satisfaction of beholding the citizens of his native state enjoying every blessing that religious and civil liberty can bestow; sustaining their state institutions with ability, and transfusing their virtues into the several departments of the general government.

Such is the man, who, four years ago, you called to the head of your affairs. You esteemed him then wise and virtuous; else you would not have placed him at the very altar of your rights.

He was then, however, untried in the discharge of the duties of the First Magistracy of a free people; and with all his virtues and talents, he was liable to disappoint the hopes of his country. Has he disappointed these hopes?—This is the object of the present enquiry. If he has, it is your duty, whatever pain it may give you, to consign him to the walks of private life.

In order to decide this enquiry, it is necessary to state the duties of a Chief Magistrate, and to compare with them the measures of Thomas Jefferson.

The duties of the President of the United States are fortunately, for the preservation of our liberties, fixed by a written Constitution. In every other nation on the face of the earth they are but vaguely defined by a dark and shifting prescription, varying with the temper of the times, and the character and views of those who administer the government. Under such systems, if they deserve the name, Executive power advances with a step as steady as time, towards its own aggrandisement. By the co-operating influence of force and patronage it gradually saps every mound raised against its encroachment. Accordingly under such governments, liberty is but a shadow, dependent entirely on the sun shine of royal favor. To guard against this great evil, this gravitating principle of political institutions, the Constitution of the United States has wisely laid down certain rules so plain that every mind can determine how far they have been observed. Let us, then, on this occasion, resort to them as our unerring guides.

The Constitutional duties and powers of the President are:

1. To give to Congress, from time to time, information of the state of the union, and to recommend, to their consideration, such measures as he shall judge necessary and expedient.

2. To pass a qualified veto upon the laws.

3. To command in chief the Army and Navy; and the Militia, when in actual service.

4. To appoint all executive and judicial offices, except of a subordinate nature.

5. To make treaties.

6. To take care that the laws be faithfully executed.

And to secure the execution of these duties, and such others as are imposed by the Constitution, he is required to take the following oath of office.

"I do solemnly swear that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

The first duty is two-fold—The President "*shall,* from time to time, give to the Congress information of the state of the union—*and* recommend to their consideration, such measures as he shall judge necessary and expedient."

It must not escape notice that both these duties are mandatory; the term used is "*shall*;"—it does not, therefore, rest in the discretion of the Chief Magistrate, to give information or advice, according to any theory of government established in his own mind; but *he shall* give information, and *he shall* recommend such measures as he shall judge necessary and expedient. For one, I do not hesitate to say, that I consider the absolute injunction of this duty, so far as it relates to the recommendation of measures, a defect in the Constitution. It tends unnecessarily to blend legislative and executive power—to give the executive a dangerous agency in the enaction of laws; and to diminish the free will and unprejudiced deliberations of the legislature. But these considerations, however powerful on the mind of the framers of a Constitution, are divested of all their influence when applied to the Magistrate, on whom its execution is devolved. What would be a virtue in the one case, becomes a crime in the other.

The information required by the Constitution has been supplied by the President in a liberal stream. It may confidently be affirmed that the mass laid before Congress during the last four years has not been exceeded, either in interest or magnitude, by that furnished during any antecedent equal period. Whatever relates to interior concerns has, in every instance where its importance justified it, been exposed; and the mysterious obscurity, in which diplomatic relations are usually involved, has been happily dissipated in an eminent degree. The wishes of the legislature and of the people have, in most instances, been anticipated, and in no case, as under preceding administrations, has a veto been passed upon legislative requisitions. In some few cases, it is true, complaints have been made that the public were not duly informed of passing or impending events; but in all these cases, it has afterwards manifestly appeared that the government had witheld no information, whose communication would not have done more injury than good.

It is, perhaps, to be regretted that there is no regular official journal published of executive acts: Were such a journal published, at periods however remote from the occurrences recorded, it would ultimately afford more correct means of judging of the conduct of the cabinet, and thereby produce a more rigorous responsibility to public opinion, than at present exists. But until provision is made for this, we must expect, from the nature of executive acts, some degree of obscurity to envelope the grounds on which they were taken.

Considering the peculiar circumstances, under which the present Chief Magistrate came into office, the people had right to expect from him a full and habitual disclosure of his measures, and the motives which dictated them, so far as either could tend to promote the public good. An omission by his predecessor, to make such a disclosure, was one of the grounds on which he was ejected from power, and the belief that Mr. Jefferson would evince a contrary course unquestionably conspired with other expectations, to insure his election.

The responsibility of all public men to public opinion is an essential feature of the republican creed, and it is manifest, that all responsibility, to a body not possessed of the means of forming an enlightened decision, must be ideal. To give a salutary vigor to this principle, a full disclosure of the state of the treasury, of every description of public burthen from the greatest to the least, of all compensations, fixed by law or ascertained by executive agents, has been statedly made; together with ample details elucidating the situation of every establishment under the government. Even the sacred ground of patronage, so prudently veiled in darkness by most governments, has been opened to the view of the nation, and the rewards of favourites, if such there are, nakedly exhibited.

A momentary clamour has been raised at the alleged suppression of information on two subjects of very various importance;—the repairs of the Berceau: and the negociations respecting Louisiana. But time, by dissipating the obscurity attending those events has proved that the first was a link in the chain of amity that now so happily unites us with the most powerful nation of the world: & that the secrecy attending the Louisiana negociations was directly, perhaps inseparably connected with the success that crowned the final result. For had the pending steps been at the time avowed, there is every reason to think that injurious delays and obstacles, altogether frustrative of the possession of that territory, would have been interposed by rival nations. England, accustomed to interfere in whatever related to France, would have scarcely suffered such an occasion to pass without improving it to the promotion of her own interest, either directly by benefitting herself or injuring her rival; and Spain would too probably have exerted every nerve to avert a measure, which, it is known, she deprecates, however erroneously, as unfriendly to her power in this part of the world.

In the discharge then of this constitutional duty, we contemplate in the measures of the Executive, a devotion to the republican principle of giving the fullest information to the people, unalloyed with the imprudence, to which an impolitic extension of even sound principles is too apt to be carried by enthusiasts.

The other branch of this duty, is the recommendation to Congress of such measures as he shall judge necessary and expedient.

We have seen that this is not a power, which the President may or may not, but one, which the Constitution expressly declares he *shall,* exercise. Under this constitutional injunction, sanctified by an oath of office peculiarly solicitous of engaging the utmost efforts of the chief magistrate in its preservation, he has recommended to the consideration of Congress several measures. It is unnecessary at this time, to enumerate any but those of considerable importance.

In his address to the seventh Congress, at the opening of their first session, he says "Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption, in a ratio far beyond that of population alone; and though the changes in foreign relations, now taking place so desirably for the whole world, may for a season affect this branch of revenue, yet, weighing all probabilities of expence, as well as of income, there is reasonable ground of confidence, that we may now safely dispense with all the internal taxes, comprehending excises, stamps, auctions, licences, carriages and refined sugars; to which the postage on newspapers may be added to facilitate the progress of information; & that the remaining sources of revenue will be sufficient to provide for the support of government, to pay the interests of the public debts, and to discharge the principals in shorter periods than the laws, or the general expectation had contemplated. War, indeed, and untoward events may change this prospect of things, and call for expences which the imposts could not meet. But sound principles will not justify our taxing the industry of our fellow citizens to accumulate treasure for wars to happen we know not when, and which might not perhaps happen, but from the temptations offered by that treasure—These views, however, of reducing our burthens are formed on the expectation that a sensible, and at the same time, a salutary reduction may take place in our habitual expenditures. For this purpose, those of the civil government, the army and navy, will need revisal."

In the same communication, the President invites the attention of Congress, without expressing any opinion, on the revision of the Judiciary establishment.

These two objects are those which have, in the greatest degree, divided public opinion. The propriety of the measures adopted by Congress in relation to them will, in its proper place, be distinctly discussed. They are merely mentioned in this place as forming part of the measures suggested or recommended by the President, in order that the whole may be presented to the view of the reader. Besides these, he has, in his several communications, attracted the attention of the legislature to the following topics.

He has recommended—

A retrenchment of unnecessary expence,

An abolition of useless offices,

An adherence to specific appropriations,

A reduction of the army,

An impartial selection of jurors,

A revisal of the naturalisation laws,

A faithful payment of the interest, and a prompt discharge of the principal of the public debt,

Unceasing efforts to perfect the militia,

The establishment of a Dry Dock.

CURTIUS.

To be Sold,

On Thursday the 27th day of September on the premises to the highest bidder, if not disposed of by private sale before that day.

THE tract of land whereon I now live in Fairfax Co Virginia, on Popes Head creek, containing 55[illegible] acres, the situation is agreeable and healthy; there is on it an excellent mill seat on the above mentioned creek, with an inexhaustible quantity of grey free stone, and an abundance of good red and white oak, poplars, and hickory timber to erect the dam and necessary buildings on the spot; there is on this creek which washes this tract, for about two miles, a very considerable portion of the first quality meadow land, there is a considerable quantity of fresh land, just opened, and nearly half of the tract to cut; it is situated about 20 miles of George Town, Washington, Alexandria and Dumfries, it is considered the best piece of forest land in the county—the terms of payment will be one third paid down, one third in 18 months and the other third in three years; an indisputable title will be made to the purchaser. The public is assured that the sale will take place if not privately disposed of before the day of sale, as I am determined to remove to the state of Kentucky this fall—Also on the same day and place, will be sold, all my stock of every sort, plantation utensils, household and kitchen furniture and the present crop now on hand for ready cash.

THOMAS POLLARD.

August 22—tdof

STRAY FILLEY.

TAKEN up as stray by the Subscriber, a Sorrel Filly, supposed to be two years old has four white feet, with a blaze on her forehead, white tail and mane, about 13 hands high, no brand or perceivable mark. The owner is desired to come, prove property pay charges and take her away.

JOHN HAMMAN.

City of Washington, September 5—1aw3t

LONDON, July 7.

A variety of articles in the foreign papers, tend to confirm the opinion we advanced yesterday, that Russia is arming against France, and meditates an attack against her on the side of Italy, by means of an armament from the Black Sea, and the co-operation of the English fleet in the Mediterranean. Russia has already a considerable number of the troops in the islands of the Adriatic; and by a proclamation which we insert this day, she seems desirous to cultivate the esteem of the people in those parts where her troops may find so convenient a resting place previous to their landing in Italy. Should Austria feel it adviseable to join the confederacy, as in the event of a prospect of success, she no doubt will, we are happy to find she is in a condition to interfere with effect. A private letter from Vienna, dated the 20th of June, says—"Though we desire to continue in peace, we are prepared for war; our imperial treasury is better supplied than in 1792; our regiments are more than complete, our military arsenals are overstored, and, within twenty-six months six hundred pieces of artillery of different calibres have been cast merely for encampments, not to speak of those of a different calibre for sieges and ramparts of fortresses. According to the official list delivered to our military chancellery the 1st inst. our army of the line, including troops of all kinds, amounted then to 360,500 men, and 9466 men supernumerary in different recruiting depots. Our militia is as well disciplined as our troops of the line, amounting to 96,444 men. All our troops are regularly paid; but such is the prudence and economy of our emperor, and his respectable brother the archduke Charles, that the Imperial Caisse de Reserve contains no less than 100,000,000 of florins in ready money."

It is probable that Russia could attack France in Italy more effectually from the Black Sea, than she could attack her on her northern side. In the present state of the continent, Russia must convey her armies by sea to come at France on any side. It is possible she may meditate a descent, in conjunction with England, on the coast of Holland. Letters from Riga mention, as a fact, that the Russian fleet at Revel has already sailed, and that it will be joined by the fleet from Cronstadt; they say, that on board these fleets is a numerous corps of Russian troops, whose first destination is Ireland. Notwithstanding these warlike appearances, the common opinion is, that during the present year the peace of the continent will not be interrupted, because the Russian troops are only regarded as English auxiliaries. It is probable, however, that those troops will be deposited in Ireland till the spring, then to go on some expedition against France. They could not be brought off the Baltic till a late period, in consequence of the frost.

The late plot at Paris.

The following extract of a letter from Paris, throws a light on the late charges of conspiracy in France, which it was impossible to extract from the mutilated and perverted statements which were sparingly and reluctantly issued from the press in that country:

"The depositions of the persons accused of conspiring against Bonaparte's government, and the proceedings of the court, prove that there existed a bold plan for overthrowing, in one day, and by a single effort, the tyranny which degrades France, and subjugates the continent of Europe: but that this end was to be attained by assassination has not been proved, though the Corsican has used every endeavor to produce such a belief. The dagger of some obscure assassin would doubtless have terminated with more certainty, the horrible reign of the tyrant; but would an expedient of this kind—would an enterprise, from danger, have become men who had devoted their existence to the establishment of order in France, and of peace in Europe."

"It was Pichegru who formed the design of attacking with equal arms an usurper, against whom the combined means of civil and foreign war could no longer be united. A small number of brave men, commanded by two princes of the house of Bourbon, were to attack Bonaparte in the midst of his escort, and to carry him off, if the obstinacy of his guards did not prevent them. It was then intended to make the senate itself put him in a state of accusation of the monarchy. This project was simple and the more certain as it required few means, few confidants, and was calculated to astonish by the rapidity of its