

For the Maryland Republican.

THE EXAMINER.

(CONCLUDED.)

LET us see now, fellow-citizens, what are the accusations brought forward against this veteran officer, this respectable merchant, and enlightened statesman. I have before me a handbill bearing the signature of "An Independent Man," devoted altogether to the task of calumniating the General, and in this, I suppose, are collected all the charges invented against him, except that of the bribery of Governor Wright to resign his office; which seems to be left to the management of Mr. John Hanson Thomas. Here we are presented in succession with "Smith a French partizan"—"Smith's intention to desert the standard of his own country, and join France if he had an opportunity"—"Smith, while a member of Congress, traded with French protections"—"Smith has speculated upon the public money," and "Smith, the author of unconstitutional, tyrannical and oppressive laws." You will observe, fellow-citizens, that the circumstances adduced in support of the three first charges are all drawn from a period of more than ten years back, when our relations with France were upon a footing as far different from what they now are as the government of that country was different from what it is at present. There was a time, let the Tories say what they will, when it was no crime in this country to wish well to France. When she was struggling for freedom against an infamous combination of tyrants, and every generous breast swelled with enthusiastic admiration of her virtue and unexampled prowess; when our illustrious Washington mingled his never-dying praise with that of the votaries of civil liberty throughout the world. Clouds had succeeded to this fair prospect: Individual ambition had stifled the pure flame of patriotism; internal commotion and singular rage had taken the place of virtue; valour was disgraced by cruelty and injustice; and anarchy was paving the way for the catastrophe which has ensued. The cause of republican France ceased to animate the friends of freedom with the original fervor, and some injuries towards our own country, produced by her irascible and distracted councils, contributed to damp the interest which we had taken in her revolution. Still, the sentiment had not completely subsided; France was yet a republic; and at the time referred to by the denouncers of Smith, if our good understanding with that nation was impaired, there were expectations of its being restored. A full half of the American people were moreover of opinion that we were not ourselves clear of blame. The British treaty, which was forced upon General Washington, was held, and is still held, to have violated our stipulations with France, and given to her just cause of discontent. It was in this state of things that General Smith, a man warm, prompt, and honest by nature, and goaded by the incessant cries of the aristocrats of Baltimore in favor of the English treaty, and a war with France, which has been their constant aim, declared in a conversation with some of them, on a public exchange, that he would rather join France in a war with England, than assist the latter against France; or, according to some statements, that if the French should declare war against us on account of the treaty, they would find friends in the United States. In what way even this was said, whether as a serious and deliberate declaration of his opinion; whether in return to some extravagance advanced on the other side, or merely as one of those hasty and extreme propositions which are thrown out in the heat of political altercation, and which the speaker would recal or modify if he supposed that such fugitive discourses were to be watched and recorded, cannot now be ascertained. But, without any reference to the manner or specific occasion of this speech of General Smith's, it appears that it was brought up against him three years afterwards, with the change, or addition, of his

having said that, in the case supposed, he would himself receive the French "as friends." I shall advance nothing against the credit of the two gentlemen, since dead, whose depositions have been preserved, and are now brought forward again, after being contradicted, disbelieved, and refuted, while they were living; but I have much to say against the correctness of their memories, or apprehensions. Their testimony is contradicted again by that of Colonel William Lowry of Baltimore, who was present at the conversation alluded to, and positively denies "that General Smith made use of such language," and it is contradicted by every consideration of probability. A declaration such as that attributed to General Smith, if it had been possible for him to make it, would not have slept for three years: It would have been noticed on the spot, and would have rung through the city of Baltimore, and through the United States. But what he really did say, which was only questioning, as he very well might, the unanimity of the people in an odious war with a sister republic, brought about by a treaty, equally odious, with her enemy, was passed over with other light-talk of the day, and never repeated to him until his contest with Mr. Winchester, when the stores of federal ingenuity and malice were ransacked, and the memories of Messrs. O'Donnel and Barry were rummaged for the conversation on the exchange. The charge was then refuted, as was also that of French protections, and whatever else could be devised against the character of General Smith. He triumphed over his opponents. He has served the country ever since, with an increased display of ability and acknowledged usefulness; for, when mercantile information was wanting, it has been often said, (and these out-of-door opinions are not taken up without some foundation) that the senate could not do without him. And this man you are now urged by petulant youth and "pussy insolence" to discard and throw away. He might have been of the cabinet of the late president, if his mercantile engagements had permitted him to accept the station. He might have been, and has weight and worth enough to be, among the first officers of the American government, where his influence would be equal to that of several senators; and yet, if you will believe Mr. John Hanson Thomas, he is not fit to be in the senate of the United States, although in an essential article, he has more experimental knowledge than all the senate together. If you are weary of worth, and in love of folly, you will take the advice of this prodigy of the mountains, who in spite of the precept of Horace, has at his first appearance, astonished the very desks of our delegates with the thunder of his eloquence. Without keeping my eye any longer upon the contemptible handbill referred to, I shall take a very brief notice of those further charges which, by their constant repetition have unavoidably come to my knowledge; namely, what concerns the French protections, and the bills of exchange. In regard to the protections or passports, I have been at a loss to conceive why so much pains have been taken in General Smith's defence, when the very worst that has been imputed to him, *à wit*, that he knew of Santhouax's interest in the contracts made with Commodore Barney, constitutes no crime. I do not, indeed, admit that he had any such knowledge; and it is proved by the testimony of Mr. Henry Wilson that he had not. Barney, to be sure, and in a manner which shews his violent enmity to the General, says that he had. Do the writings, or any circumstances of the contract, shew it? No. It was then a matter of oral communication. Does Mr. Barney state how, when, where, upon what occasion, or for what purpose, the interest of Santhouax, which Wilson declares was a secret article not known, or to be known to the Contractors, was disclosed to General Smith? No; he just tells him in a rude and clamorous manner, "you knew it"—"you did know it." I attack no man's veracity; but I form my opinion of the correctness of statements from the characters and habits of the persons from whom they proceed, and from their particular temper of mind at the time of making them. Barney has, I know not why, become the inveterate enemy of General Smith. He may think as he says; but he is a giddy, blundering, heels-over-head sort of a man, who talks too much to remember even his own speeches, or to let any thing that he hears make a due impres-

sion on his mind. I do not believe that General Smith was apprized of the concern of Santhouax, in the mercantile speculation of Mr. Barney for the supply of St. Domingo with provisions. There was no occasion for him to be so informed. The information might have prevented the contract; and Commodore Barney was much interested in getting these contracts effected. It appears that Barney has been grossly mistaken in the particular of General Smith's having pleaded before the arbitrators Messrs. Williamson, McKim and McCreery—he has asserted in contradiction of this statement, that he never even appeared before them, and his declaration in this respect has never been questioned. As for the contract itself with Mr. Joshua Barney, it would be idle for me to give you the history of it, as I could only repeat what has been stated in the fullest and clearest manner by General Smith himself in his letter to Mr. Siansbury. It was a simple mercantile transaction, entered into, under circumstances which precluded the shadow of blame or responsibility, and such as no merchant in the United States, would have scrupled to engage in, if it promised a profit adequate to the risk. The protecting certificates which Mr. Barney had it in his power to give, enabled him to obtain a more advantageous contract. They were, so far as they went, an insurance of General Smith property. The measure was for the benefit of Mr. Barney.—The supplies were at all events to be obtained. If the contractors were to deliver them under all risks, the price must have enhanced in proportion; and on the other hand, if the risk was diminished by valid passports, in the disposal of Mr. Barney, the price of the articles would be also diminished. Mr. Barney had, or was capable of furnishing, such passports. As the object of the contract was the victualling a French colony, it was very natural that the vessels conveying the supplies should be protected from French cruizers. It would indeed have been astonishing if they were not. The question then is whether the act of supplying the island of St. Domingo with flour, &c. at the time and under the circumstances of the contracts made by Smith and Buchanan, and other mercantile houses, was lawful or not;—and who has presumed to say that it was unlawful? BEWARE fellow citizens how you encourage any restraints upon the actions and pursuits of freemen beyond what the laws impose. The contract of Messrs. Smith and Buchanan, with Mr. Joshua Barney, to deliver articles of subsistence in St. Domingo, was lawful, and warrantable in every view; and the case would in my opinion have been no way altered if it had been known that the commissioner Santhouax was to share with Commodore Barney in the profits of the transaction. But it concerned Mr. Barney to keep that matter to himself, and it did not concern General Smith to know it. Mercantile men seldom attend to any thing but what is essential in their negotiations;—General Smith, or rather Col. James A. Buchanan, who is the immediate conductor of the business of that house, looked at the probable cost of the articles required, and the prices which were to be paid on their delivery; and in all probability, neither of them ever thought of the profits which were to accrue to the other contracting party, or in what way they were to be disposed of. This is all that the present occasion permits me to say relative to the cry of French protections, and I must be still shorter in regard to the bills of exchange; for, as these remarks must now be comprised in a single publication, and are already of an unreasonable length, it is useless to add to them what would probably never be read. It is moreover, impossible to add any thing to the explanations which have been given on this subject; the most that could be done, would be to condense and methodize them; but to what purpose? Those who desire to be convinced must be satisfied by the letter of the Comptroller of the Treasury, and by that of Mr. John Kilty Smith, of the Navy Department, that there is not the slightest foundation for any charge against the House of Smith and Buchanan, in relation to the sale of their bills to the Navy agent, or the subsequent failure of the house on which they were drawn; and it would be preaching to the wind to attempt to convince or silence the inventors of this and other charges against the honor of General Smith. In short, a multitude of defences tends only to distract the attention of the public, and to prevent their examining any, from the impossibility of reading them all; and finally

It has been less my design in these publications to defend the party to which I am attached, than to attack and expose the presumptuous faction, which seeks, without merit and with a load of unatoned transgressions, to force itself upon your confidence, in spite of the recent decision of the nation against their pretensions. I shall therefore leave the character of General Smith to the able and irresistible defence which it receives from his own explanation of the transactions upon which his enemies have built their Babylonian column of slander; to the corroborating statements and testimonies of those who have anticipated me in the task, and to the candor, discernment, and patriotism, of the People of Maryland. If, by your votes, at the approaching elections you gratify and sanction the inveterate malice by which this brave and estimable man has so long been pursued, you offer a premium for detraction, a reward for the murder of reputation; and the most secure among you may, if you have merit enough to have a single enemy, become the victims of a practice which has of late made most alarming advances in this country. If, on the contrary, you enable the Republicans to make some amends to this persecuted soldier of the Revolution, by a re-election to the station which he has worthily filled, and which no other man in Maryland can fill as ably, you will give a lesson, and afford an example, lastingly conducive to the peace, order, and decency of social life; to public honor, and to private safety, and advantage; and when, to the consideration of what regards General Smith, which notwithstanding the fiction in which it originated, has now become of acknowledged importance, you add the various motives suggested by the characters of the two parties, whose respective principles and views I have attempted, with the boldness of conviction, but with entire sincerity, to describe to you, I feel the strongest persuasion that your decision will give a death blow, in this state, to the influence of torism, the rage of calumny, and every thing that is at variance with your political honor and prosperity.

A promising son of Hogarth has taken the following memorandum for the subject of a caricature, to be entitled, "THE WOEFUL FLIGHT; OR, ELECTION OF 1809." On the fore ground, patrician Federalism, in the likeness of Timothy Peckering, is represented as "looking up," because, being upon the broad of his back, he can look no other way;—a mitre, wrapped up in a Church bill, lies broken to pieces by his side; and a crown and sceptre is discovered to have been hidden under his cloak, partly concealed by the label "Energetic Government." A Harper, who was pulling money *clars* behind a curtain, looking with distraction after the phantom of a senatorship, is seen tumbling thro' the head of a tub upon which he was elevated. Luther M— is seen in deep contemplation over a broken bottle; and Judge D— grounding the butt-end of an old musket. On the back ground, a dumpling-headed Waggoner, who was driving a team of Jack-asses full gallop towards the sign of "Secretary of State," has "got up to the hub" in the mire; whilst little Ellick and Liverless are down upon their knees, praying for the "Herculean shoulders" of Rufus King to help him out again. At a distance, the "Man of the Mountain" is indistinctly seen, after a tight squeeze through the crowd, chalking with his own favourite words "the voice of the people recently expressed!"—"Alas! how chop-fallen!" Parties, in Republican countries are truly said to act upon a kind of scientific system of attack and defence. Those that are out are always attacking those that are in power. The attack is certainly the best general side, because it is much easier to find fault than to defend; it is easier to blast reputation, than to establish innocence;—it is easier to create distrust, than to inspire confidence; besides, those who are in power, are a definite, indivisible and stationary object, against which artillery may be employed from every opposite direction or contradictory position; and, whilst their assailants are at liberty to advance or retreat, to occupy or evacuate their ground at perfect pleasure, they are confined to their posts, and compelled to sustain every attack, or relinquish their stations in disgrace—on the contrary if they attack a position of their enemies, they find they have ingeniously left it to renew their fire from another quarter, where pursuit would be bootless, or from whence they as easily fly to another. To exemplify—most of the railing against the democratic administration, has been from the mere selfish motive and desire of supplanting them, and to effect this object, mil-

lions of *armies' faults* have been discovered which were in reality no faults at all. Reputation and character have been every where assailed by the venom of slander and the sting of envy; and distrust, and suspicion has been industriously instilled into the minds of the credulous. All the arts of intrigue, deception and falsehood; of avarice, ambition, and resentment; of faction, prejudice and malice, have been unremittingly assailing every man in power, and all the measures they have adopted. Yet those assailants themselves, although they attack from every imaginable position, are themselves no where to be found daring to defend the ground they attack from; at one moment they assail the administration for submitting tamely to degradation and insult; but if you seek to hold them to that ground, and enquire if they will support you in a manly resentment, they are off in a tangent, and upbraid you with a design to invite war. If government avoid both these accusations by a medium course, resentment without hostility—that costs too severe a sacrifice; if they reply it is less expensive and dangerous than war, they return to their first deserted point, and preach up weakness and cowardice again. Thus, likewise, in our state affairs. If you demand of them their obligations to the constitution, whose mandates they have contrived to elude,—they trump up a story against General Smith to answer it!—If you tell them that the laws and constitution should be infinitely above personal resentments, they perhaps tell you a story about the Rebecca sailing with 9000 barrels of flour!—if you descend from the subject you were charging them with, to expose the falsehood of the latter accusation, however clearly you do it, their object is in a great degree attained, they save themselves from the indictment for breaking the constitution, by some old worn out fifty times refuted falsehood of French influence, perverted tales of French protections, and notorious falsehoods respecting bills of exchange. The Federalists have repeatedly proclaimed to the people of Maryland, as the election approached, that it would decide the fate of parties in this state for many years to come. We have no hesitation in subscribing to their opinion on this subject. Let us acquaint the world that we agree at least in one respect. STATEMENT OF MAJORITIES in the several counties of Maryland. (Compiled from the best authorities.)

COUNTY.	VOTES.	
	Rep.	Fed.
WESTERN SHORE.		
Harford County—at the last election no opposition—the actual majority of republican votes is at least equal to	1600	—
Baltimore County—at the last election no opposition—the majority, according to the votes last year, when the whole federal strength was out, was	1900	—
Baltimore City—no opposition; last year the republican candidate for Congress had 3539 votes, and the federal candidate 314—the majority is fairly put down at	2725	—
Anne Arundel County—but a partial opposition the present year—in the last the majority was more than two for one, or	350	—
Annapolis City—no opposition the present year, the republican majority last year was	29	—
Calvert County—in this county the parties are nearly balanced—as the federalists had a majority of the delegates, I allow them a majority of	—	10
Prince George's County—has a federal majority of	—	30
Montgomery County—in the present year no opposition; at the last election the federalists had a majority of	—	600
Charles County—I have no correct data whereon to found the exact majority in Charles county; but I believe it may be estimated at	—	700
St. Mary's County—in this county there is a very respectable republican minority—the federal majority is about	—	300
Frederick County—This populous county at the last election gave about 3590 votes, and elected one republican and three federalists—the average federal majority is	—	37
Washington County—no federal opposition; the republican majority is	630	—
Allegany County—the returns of the last election give us four federalists with an average majority of	—	87
Total majorities on the Western Shore	7404	1764
Deduct federal majorities	—	1764
Republican majority on the Western Shore	5640	—