EXTRACTS

From a late performance entitled

CONSIDERATIONS

ON THE

EXECUTIVE GOVERNMENT

OF THE U. S. OF AMERICA.

By A. B. WOODWARD, Chief Justice of the Territory of Michigan.

The erection of an independent empire, in the western hemisphere, constitutes an event which has already been productive of consequences the most interesting to its own inhabitants; and which is likely to become still more intimately connected with the future destinies, and happiness of the human race. To build the solid foundations of its greatness has been the labor of a generation which may now be considered as past. The illustrious statesman, from whose pen America received the great charter of her independence; and the illustrious warrior whose sword achieved it, are no longer numbered in her councils. The one reposes in the mansion of eternal rest; leaving to his country, and to the world, his immortal fame. Treading in the path of his glory, the other regions, this day, the cares and the burthens of government, for the shade of private life. With their beloved commander of the revolution, sleep the greater part of his brave compatriots in arms; and almost the whole of the distinguished sages, constellated in the brilliant deed of 1776, have alike sought the quiet of the grave, or of retirement.

To a new generation may be said to be committed the destiny of the American nation. The elevation of the superstructure of that grand fabric of liberty, whose foundations were laid by the last, becomes the great duty of the present generation; a duty not less onerous in obligation than arduous in performance.

As one of that generation, in pure patriotism yielding to none, to many in the means of rendering it useful, I hasten to discharge a portion of that duty. I believe it assigned to me by the high and responsible gratitude I owe to my predecessors, in the momentous æra of revolutionary struggle; and by the ardent love I bear to the country, which they have given me.

Penetrated with reverence for a virtuous progenitor, who in the day of danger, and in the hour of battle, glowed with a holy ardor for the practical maintenance of the liberties of America; myself enjoying a liberal portion of the confidence, and the honors of my country; I am conscious that in approaching her constitution, I advance with no sacrilegious, or parricidal hand.

Nor am I insensible of the magnitude, and the grandeur of that empire, the ark of whose safety I thus presume to touch.

The United States of America comprehend in their limits one of the fairest portions of the earth. Extending nearly from the Pacific to the Atlantic ocean, and spreading over the best portion of the temperate zone, on this northern continent, there is scarcely a nation or an empire, ancient or modern, that can sustain a comparison. To a climate adapted to every production that courts the equatorial sun, or the polar cold, is added a readiness of intercourse with other countries, and a facility of internal commerce unparalleled in any other region of the globe. Nor are there wanting moral causes to give value and efficacy to their physical advantages. No people, covering the same territorial extent, and variety of clime, are so uniform in language; so similar in their jurisprudence; so analogous in their moral, religious, and political habits; so secure from powerful, and invidious neighbors. With these is connected the enjoyment of a liberty, unexampled in the history of the world; a liberty, at once too precious to be abused, and too magnificent not to command a willing and universal attachment.

The tranquility, the order, and the happiness of mankind, seem indeed to depend on the existence of large and powerful empires. The inhabitants of a great continent, split into small nations, and petty sovereignties, not only become the victims of their own passions; but present temptations, too operative on the cupidity of powerful neighbors, to be suffered to remain in tranquility. If tyranny is established, she holds an iron rod; and, where liberty may exist, her reign is too precarious and fleeting to make any permanent addition to the felicities of the human race.

A great nation, separated from us only by the immense sea whose mighty waves roll between us, presents herself on the oriental coast of the opposing hemisphere; a nation which has outlived the storm of every revolution, and whose gigantic head hides itself in the clouds of impenetrable antiquity. Whatever opinions we may be disposed to entertain of the political institutions of China, a country of which we know so little in detail, it is certain that an admirable order, economy, and benevolence characterise her administration. In the attribute of steadiness in government she is unrivalled by any nation. Proud in her superior civilization, she enjoys, in serene triumph, a majestic seclusion from the petty contentions of a surrounding and barbarous world.

Another great nation, and separated from us only by another magnificent ocean, occupies the western coast of the same hemisphere; a nation whose painful parturition may be said to have been long protracted, and which, in the short period of her political regeneration, has traversed, and recrossed, with fatal rapidity, the path from monarchy to republicanism, and from republicanism to monarchy; a nation, which imbibing many of her political principles from us, has appalled America in the application she has made of them. Whatever may be her future revolutions, or form of government, it is probable that France will always be the pre-eminent country of Europe, and that her name will continue dear to science, and to the arts.

The mind that overlooking the countries we intervene, and the peculiarities of our situation, is desirous of the establishment of a number of independent sovereigns, and nations, on this northern continent, has taken, perhaps, an imperfect view of the great and durable sources of our national happiness.

Shall our fertile, and at present peaceful continent, present only a theatre for acting over again the terrible atrocities, which in every direction, and in every age, have ensanguined the plains of the eastern hemisphere? Are mankind to be eternally the sport of the unbounded ambition of individuals; or of their own unlicensed and destructive passions? Must the garments of liberty forever be dyed in blood; and shall the languishing spirit of humanity never find a region of rest?

The tranquility of our citizens, the permanence of our liberties, the beauties of our social system, the vigor of our republican institutions, depend on the preservation of a large and powerful empire on this continent; an empire, too powerful to fear foreign enmity, too large to be the sport of local faction; an empire, capable of concentrating its energies, and of directing them by a single impulse.

Under an equal & correct organization of our national government, & with domestic legislatures for local regulation, the geographical contents of our empire, ample even as they are already, are still capable of inconceivable extension. They seem to be susceptible of no other rational limitation than the possibility of a convenient assemblage of representatives, from the remotest extremities of the empire. In a country improved, and improving, as ours is, a journey of a hundred days brings the legislator, from the extremes of the continent, to the seat of the national government.

The durability of our union and government will probably however not be assailed on the legislative side. The construction of the legislative department is such as to secure it, in an eminent degree, the public confidence; and it is not in that quarter we need to indulge fears of the permanence of our union.

The first shock which our government must sustain, endangering its existence, or menacing its stability, must be derived from the executive department. It is here the storm will arise, and in this quarter may we expect the first blow to our union. It is here the mind of the patriot must dwell, with an anxious solicitude; and watch, with an unceasing vigilance. Happy will it be for America, if, foreseeing, with her usual prudence, her dangers at a distance, she neglects not her protection from the violence of the tempest, until her exertions can no longer be availing!

The existing construction of the executive department of the government of the United States of America is perhaps not perfectly adapted to the tranquil and steady administration of the affairs of this growing and stupendous republic. Gradually must it become less so, as its population advances; and as its interests multiply.

The President of the U. States, during the term for which he is elected, is invested with the prerogatives of a monarch. These powers are almost too great to be exercised, with undeviating correctness, by any individual mind; however energetic, and however enlightened. On the choice of a successor, the nation is agitated to its remotest fibre; and to calculate, under these circumstances, on a uniform selection of talent and virtue, for a long course of time, would be to contradict the experience of mankind. Some unfortunate choice must unavoidably occur; and, by the imbecility, or vice, of one individual, the toils and the labors of preceding generations may be prostrated in dust.

The propriety of increasing the stability of the executive department of our government, and of rendering it, as far as human nature will admit, exempt from the mutations incident to individual statesmen, or temporary party, is a subject by no means unworthy the intelligent mind of America.

To effect a deliberate and constitutional change in the construction of the executive department of the government of the United States; to transmit its authorities, from an individual character, to a permanent political body, suited to our national situation; is the object which will be attempted in this discussion.

The considerations which appear to operate in favor of vesting the executive authority of the nation in a permanent body, composed in a manner appropriated to our political circumstances, and of the construction designated in the Appendix, rather than in an individual character, according to the existing provisions of the constitution, will now be succinctly submitted.

In prosecuting the discussion no considerations that are local, or temporary, will find a reception. No personal reflection shall sully the page. An unqualified candor shall reign throughout; and no sentiment of my heart shall be withheld, or disguised.

I have acted without coadjutor. Where there is disapprobation its burthen ought to appertain only to myself. But I bear constantly in mind that I address a generous and enlightened people; and, fortified by that assurance, I alike dismiss all fear, and all reserve.

The first great consideration is derived from its analogy with the principles of republican government.

In examining the prominent distinctions between republican systems and monarchical institutions the great characteristic difference appears to consist in the empire of intellect. The influence of reason seems to be the great distinctive principle between popular and absolute governments.

In absolute governments the will of the prince rules, simply, because such is his will; and though it may be contrary to justice, to the public interest, or to a correct sense of his own, it is not the less to be obeyed.

In the one government, the will of him who administers the law is put for the law itself. In the other, the will of those who are the organs of administering the laws is merely the practical expression, and enforcement, of a principle, which the public reason has previously established.

In free governments the will of those who administer the laws is carried into execution, not simply because it is their will; but, because it is, or is presumed to be, the inference of reason, deduced from first principles, and applied to particular instances.

In order to give efficacy to the influence of reason, deliberation is necessary. He who acts alone is often exposed to error; and is not seldom liable to caprice. In the administration of public affairs the will of a single individual ought not, perhaps, to prevail, even where it is right. What is right in itself may be demonstrated to be so; and candid investigation is seldom attended with inutility to the imperfect mind of man.

Republics therefore generally repose all their great and responsible authorities in bodies of men, rather than in single men. Nor does it appear improper that they should do so. The fire of liberty burns with a brighter, and more elastic flame; and the practice seems to be in purer conformity with the theory of republican government.

(To be continued.)

LATE FOREIGN INTELLIGENCE.

Cadiz July 24.—With respect to our political situation I have only to say that the French, finding their force too much divided, have evacuated the north of Spain as far as Ferrol and have concentrated all their forces in the neighborhood of Madrid with a determination no doubt of waiting, united, the results of the campaign in Germany. The combined troops of England and Spain are, however, determined to bring them to action and it is expected at this every moment that a general action has taken place. The results are not so much dreaded. Should the French be worsted their army will be destroyd. Should the combined army meet any reverse on the road to their assistance the passes to this province are well guarded. It is reasonable to expect that if the Austrians hold out but few a months longer that there will not be a Frenchman in Spain except prisoners.

Seville July 20.—Last week Wellesley had an interview with Cuesta, in which they concerted a plan of operations.

Their army then consisted, agreeable to the best account of 53,000 infantry and 11,000 cavalry, to which may be added the reinforcement since arrived at Lisbon from about England, 8,000—the 57th regiment, from Gibraltar, & general Venegas's division of 26,000 men. Thus this army may be estimated at 100,000 men effective, in the following positions.

Venegas the right wing; Cuesta the centre, and sir A. Wellesley the left. Venegas advanced on the 18th and his advance posts were at Manzanares, Daymiel and Solana, all on this side the Guadiana; Cuesta advanced on the 17th, and is said to be at Naval Moral and Wellesley near Talavera de la Reyna.

Thus we may hourly expect advice of a general action; prayers have been offered up at the cathedral, at which the Junta Central assisted to day in a body.

The French have concentrated their forces in the Mancha, Estremadura & upon the smallest computation I estimate that they have from 70 to 80,000 men, in a body, or in positions to co-operate together. Thus something very important may be expected to be the result and very shortly.

"*Gibraltar, July* 26, 809.—The British expedition from Sicily, under general Sir John Stuart, has disembarked near Naples, and taken several places, among them Baida.

"The natives in great numbers were joining the British army."

[The force of this armament was stated in a former account, to amount to twenty three thousand men.]

"*July* 28.—All the news from the interior and the armies, is extremely gratifying—every thing goes on well."

Five American vessels, two of them belonging to Mr. Gray of Salem, have been taken under Moorish colors, and carried into Gibraltar.

POSTSCRIPT.

LATEST NEWS FROM ENGLAND.

New York: Aug. 15.

The fast sailing ship Russell, Allen, arrived at the Quarantine ground last evening, from Liverpool, which port she left on the third of Aug.

Capt. Allen informs, that the embargo in England was raised on the 29th July. The grand expedition, with about 90,000 troops on board, sailed on the 24th and 25th July, destined, as was supposed at Liverpool, for the coast of Holland.

The American government schooner Enterprize, had arrived at Texel.

Our London papers contain the late account of the battle on the Danube, between the French and Austrians, and the armistice as published in our paper some days since; and an extract from the 27th French bulletin to which the armistice is attached.

Capt. Allen has politely furnished the Editor of the Mercantile Advertiser with London papers to the 31st of July inclusive, Lloyd's Lists to the 21st, and Liverpool papers to the 2nd of Aug. from which we have made the following extracts.

Further extracts from our London papers shall be given to-morrow.

LONDON, JULY 28.

An article, dated from Petersburgh on the 5th, states that an English squadron made its appearance between Hochland and Cronstadt, in presence of the Russian fleet, and that a naval engagement was expected. We think the expectation will not be disappointed. Letters from Petersburgh of the 6th add, that the English squadron consisted of seven sail of the line and twenty other vessels——and that the Russians were alarmed for the safety of Cronstadt, our ships having evinced a disposition to bombard it.

Our Court Gazette contains what follows:

"Austria has asserted in her proclamations, that France looks in vain for assistance from her allies. If this observation should be applied to Russia, it will be a sufficient refutation to state, that on the 4th of June the head quarters of the Russian army were at Lublin."

Stockholm, July 7.—Major Arswedson has returned from his mission to the French Emperor, and has brought passports for a negociator to proceed to Paris. Baron Von Essen is to be the ambassador.

Stralsund, July 15.—The French Baron Coudras, commanding here, has formally authorised an establishment of a communication between Sweden and the Continent, through this port.

FROM THE TWENTY-SEVEN BULLETIN.

Znaim, July 12.

On the 10th the Duke of Revoli beat the rear guard of the enemy before Hollobrunn.

On the 11th, at noon, the Emperor arrived opposite Znaim. The battle had begun. The Duke of Ragusa had attacked the city, and the duke of Rivoli had taken the bridge and occupied the tobacco manufactory.——We took from the enemy in the different engagements on this day, 5000 men, 2 standards and 8 pieces of cannon.

The Emperor, informed that Prince John of Lichtenstein had entered our out posts, ordered the firing to cease. The annexed armistice was signed at the Prince of Neufchatel's.—Prince Lichtenstein was presented to the emperor, at two in the morning, in his tent.

[Here follows the Armistice already published in our paper.]

London, July 29.

Before the greater part of our readers will have received this day's Courier, the expedition will have reached the first point of its destination, and struck the first blow. The first and second divisions of the expedition sailed early yesterday morning, and were soon clear of the Downs. Admiral Otway, with the remaining division of the expedition, sailed at five this morning. In the mean time more horses, troops and artillery are embarking, and we have probably by this time, on the enemy's coast, the largest force that was ever sent from the British shores at one time; perhaps between 40 and 50,000 troops.

Three islands lie at the mouth of the Scheldt, Cadsand, Walcheren and Schowen. The possession of these islands is necessary to all ulterior operations up the East and West Scheldt, and these, we may now say, it is the object of the three divisions of the expedition to attack in the first instance. Cadsand will probably be the first island attacked, because it commands the entrance of the West Scheldt, and will enable our ships to go up the river. The Marquis of Huntley's division of the 6th, 50th, 91st, 9th, 38th, and 42d regiments, will attack Cadsand. Cadsand is not strong on its Western side, but the enemy, we understand, have erected a mortar battery above Breskens.—With such a battery and Flushing, the Scheldt may be in a great measure commanded. But it is probable that it is not intended to attack this battery in front, at least till after a landing has been effected in another part. The second division under the command of Sir John Hope, is destined for the Schowen Island, and the North part of Walcheren.—Schowen is necessary to secure the East Scheldt, and to put us in possession of North Beveland. The operations against Walcheren will be committed to sir Eyre Coote. Upon this subject, it is said, in a Morning paper, that "the enemy has already assembled 6000 troops in Walcheren, which it is supposed will be sufficient to cope with 30,000 assailants, placed as they are on terra firma, and provided with extensive redoubts and batteries. The town of Middleburg in the centre of the island, has had the pavement removed from the spacious squares within its walls, and the same industry has been employed at Flushing, to prevent the destruction of the garrison and inhabitants from the rebounding of the missiles, and from the fragments of stone in the case of bombardment.

We are glad to find that the enemy have no more than 6000 troops in Walcheren: but as to their being able to cope with 30,000 British troops, we have little doubt, ere a few hours have elapsed, that we shall find they have not been able to cope with a third of that number. Middleburg is not a place of any strength. Flushing is strong; and there may be some batteries on the Western coast of the Isle of Walcheren. But the valor, skill, and firmness of our troops, will soon overcome these obstacles.

What objects are in contemplation after the operations against Cadsand, Walcheren, and Schowen, have been carried into effect, it would be at present improper to disclose.

Government had not, when our paper was put to press, received any account of the troops having disembarked.—*Courier.*

DIED—On Friday the 15th inst. Mr. JOHN DOYNE, long a resident of this City.

SOCIETY OF THE SONS OF ERIN.

A Quarterly Meeting of the Society of the Sons of Erin will be held at Rhodes's Hotel this Evening the 18th inst. at six o'clock, where the Members composing the same are respectfully requested to attend.

By Order of the President,
H. WHETCROFT, Sec'ry.

BANK OF COLUMBIA,
September 14, 1809.

THE Board of Directors having this day declared a dividend for the half year ending the 20th inst. at the rate of Eight per cent per annum. The same will be paid to the Stockholders or their representatives on or after Wednesday next.

WILLIAM WHANN, Cash.
September 18—3w

NOTICE.

The subscriber has commenced the practice of the LAW, and opened an office in the town of Upper Marlborough, Prince George's county.

THOS. G. ADDISON
Aug. 30—ep6w.