DOCUMENTS

ACCOMPANYING THE PRESIDENT'S MESSAGE, OF NOV. 8, 1808.

(Continued.)

Copies, and extracts of letters from Mr. Madison to Mr. Pinkney.

EXTRACT.

Mr. Madison to Mr. Pinkney, dated July 18th, 1808.

"Your communications by lieutenant Lewis were safely delivered on the evening of the 8th inst.

"As it had been calculated that the interval between the return of Mr. Rose, and the departure of lieut. Lewis, would give sufficient time to the British government to decide on the course required by the posture in which the affair of the Chesapeake was left, its silence to you on that subject could not fail to excite the particular attention of the President: and the appearance is rendered the more unfavorable by the like silence, as we learn from Mr. Erskine, of the dispatches brought to him by the packet which left England and arrived at New York at nearly the same time with the Osage. I have intimated to Mr. Erskine the impressions made by this reserve, without, however, concealing our hope that the delay does not imply a final purpose of withholding reparation, and that the next communications from London will be of a different import. They must at least ascertain the real views of the British government on this interesting subject.

"there was certainly no just ground for Mr. Canning to expect any particular communications from you on the arrival of the Osage, unless they should have grown out of such accounts from France as would second our demands of justice from Great Britain, particularly the revocation of her orders in council. And in imparting to him what you did from that quarter, every proof of candor was given which the occasion admitted.

"If Mr. Canning was disappointed, because he did not receive fresh complaints against the orders in council, he ought to have recollected that you had sufficiently dwelt on their offensive features in the first instance; and that as he had chosen to make the formal communication of them to this government, through another channel, it was through that channel, rather than through you, that answers to it would be most regularly given."

"The communications and instructions forwarded by Mr. Purviance, who was a passenger in the St. Michael, will enable you to bring the British government to a fair issue on the subject of its orders. If it has nothing more in view than it is willing to avow, it cannot refuse to concur in an arrangement, rescinding on her part the orders in council, and on ours, the embargo. If France should concur in a like arrangement, the state of things will be restored, which is the alleged object of the orders. If France does not concur, the orders will be better enforced by the continuance of the embargo against her, than they are by the British fleets and cruizers; and, in the mean time, all the benefits of our trade will be thrown into the lap of Great Britain. It will be difficult, therefore, to conceive any motive in Great Britain to reject the offer which you will have made, other than the hope of inducing, on the part of France, a perseverance in her irritating policy towards the United States and on the part of the latter, hostile resentments against it.

If the British government should have elected the more wise and more worthy course of meeting the overture of the President in the spirit which dictated it, it is to be hoped that measures will have been taken in concert with you, and through its minister here, for hastening as much as possible the renewal of the intercourse which the orders and the embargo have suspended; and thereby smoothing the way for other salutary adjustments."

"It appears that the British government, not satisfied with the general blockade by her orders of November 11th, has superadded a particular blockade, or rather a diplomatic notification of an intended one, of Copenhagen and *the other ports* in the island of Zealand; that is to say, a strict and legal blockade of the whole island. The island cannot be much less than two hundred miles in its outline, and is described as abounding in inlets. It is not probable, therefore, if it be possible, that a blockade, within the true definition, should be carried into effect. And as all defective blockades, whether so in the disproportion of force to the object, or in the mode of notification, will authorise fair claims of indemnification, it is the more necessary that guarded answers should be given in such cases, as heretofore suggested.

"Since the British orders of evidently inviting our citizens to violate the laws of their country, by patronizing on the high seas their vessels destitute of registers and other necessary papers, and therefore necessarily smugglers, if not pirates, the circular letter of Mr. Huskisson has made its appearance; in which the United States are named as alone within the purview of the order. A more extraordinary experiment is perhaps not to be found in the annals of modern transactions. It is levelled moreover against a nation towards which friendship is professed, as well as against a law, the justice and validity of which is not contested; and it sets the odious example, in the face of the world, directly in opposition to all the principles which the British government has been proclaiming to it. What becomes of the charge against the United States for receiving British subjects, who leave their own country contrary to their allegiance? What would be the charge against them, if they were, by proclamation, to invite British subjects, those too expressly and particularly prohibited from leaving their country, to elude the prohibition, or to tempt, by interested inducements, a smuggling violation or evasion of laws, on which G. Britain founds so material a part of her national policy? In the midst of so many more important topics of dissatisfaction, this may not be worth a formal representation. But it will not be amiss to let that government understand the light in which the proceeding is regarded by this. I have already touched on it to Mr. Erskine, with an intimation that I should not omit it in my observations to you.

"The French decree said to have been issued at Bayonne has not yet reached this country. Such a decree, at such a time has a serious aspect on the relations of the two countries, and will form a heavy item in our demands of redress. It is much to be regretted at the same time that any of our vessels, by neglecting to return home, and conforming to the arbitrary regulations of one belligerent, should expose themselves to the arbitrary proceedings of another.—So strong and general an indignation seems particularly to prevail here against the Americans in Europe who are trading under British licenses, and thereby sacrificing, as far as they can, the independence of their country, as well as frustrating the laws which were intended to guard American vessels and mariners from the dangers incident to foreign commerce, that their continuance in that career ought to be frowned upon, and their return home promoted in every proper manner. It appears by information from our consul at Tangiers, that great numbers of our vessels are engaged in a trade between Great Britain and Spanish ports, under licences from the former, and that the experiment proves as unsuccessful as it is dishonorable; the greater part of them being either arrested in port, or by French and Spanish Cruisers."

Copies and extracts of letters from Mr. Pinkney to Mr. Madison, with enclosures.

Mr. Pinkney to Mr. Madison.

London, Feb. 23, 1808.

Mr. Canning has just sent me a note, of which a copy is enclosed, relative to an intended alteration, upon the subject of cotton, in their bill for carrying into execution the late orders in council.—You will perceive that he lays some stress upon the accidental observations, which (as already explained to you in my letter of the 26th of last month) were drawn from me some time since upon the singularly offensive project of imposing a transit duty upon our cotton.—I mentioned to you, in my letter of the 2d inst. that he appeared to have misapprehended the tendency of these observations, and that in a subsequent conversation, he shewed a disposition to remove the obnoxious feature from their plan, for the purpose of substituting an absolute interdict of the export of that article, under an idea that we should then cease to object to it; but that I thought it my duty to decline to give him any encouragement to do so, although I agreed, as he seemed to wish it, to mention his disposition to you. A few days ago, he sent for me again, and renewed his proposal of an immediate change, with respect to cotton, from a prohibitory duty to a direct prohibition. My answer was the same in substance as it had been before. He then suggested the alternative arrangement, which you will see stated in his note; but, adhering to the determination I had formed upon the first appearance of the orders in council to make no compromise (without precise direction from my government) with the system which they announce, by becoming a party to its details, I received the proposal as I had done the other.

The British government, however, had resolved to adopt the last mentioned plan, whether it received my concurrence or not, upon a presumption that it would be more acceptable to us; and, perhaps too, under the idea that it was more defensible than their original scheme; and the purpose of Mr. Canning's note is merely to signify to me, in a manner as friendly and respectful as possible to the U. States their intention to propose it to Parliament. One object of all this is, certainly, to conciliate us, altho' it may be another, to free their system, as far as they can, from the disadvantage of one of the formidable reproaches which their opponents cast upon it. But the wise and magnanimous course, would be, at once, to tread back their steps upon the whole of this ill judged measure, instead of relying upon small and unsubstantial modifications, which neither produce an affect upon its character and principle, nor mitigate the severity of its practical consequences. I might, if I thought it advisable, take the occasion, which Mr Canning's note undoubtedly furnishes, to press upon him once more the policy, as well as the justice of such a course; but I believe it, under all circumstances, to be more prudent to wait for your instruction, which must, I think, be very soon received.

I have already had the honor to send you two copies of the resolutions, moved in the House of Commons, by the Chancellor of the Exchequer, as tables of export duties, to which their bill should refer. I have enclosed in another letter, with which this will be accompanied, a copy of the bill itself, which will, however, undergo several alterations. Those will be found to be explained (as far as I am acquainted with them) in the letter above mentioned.

I have the honor to be, &c.

(Signed) WM. PINKNEY.

Honorable James Madison, Secretary of State,

Mr. Canning to Mr. Pinkney.

Foreign Office, Feb. 22, 1808.

"SIR—I have already had the honor of assuring you, in conversation, of the disposition which is felt by the British government to give due weight to the observations which you have made to me respecting the unfavorable impression, likely, (in your opinion) to be excited in the United States by the duty proposed to be levied upon cotton destined for the use of the enemy, but brought into the ports of this country conformably to the tenor of the orders of council of the 11th of November.

You are already apprised that the principle upon which the whole of this measure has been framed, is that of refusing to the enemy those advantages of commerce which he has forbidden to this country.

The simple method of enforcing this system of retaliation, would have been to follow the example of the enemy, by prohibiting altogether all commercial intercourse between him and other states.

It was from considerations of indulgence to neutral trade, that the more mitigated measure of permitting intercourse, under the restraints and regulations of a duty in transitu was adopted, and being adopted with this view, it was not immediately felt by the British government, that there might be a distinction taken by neutral states, with respect to articles, the produce of their own soil; and that while the commutation of prohibition into duty was acknowledged as an indulgence, when applied to articles of foreign commerce, of which they were only the carriers, it might be considered as an invidious imposition, when applied to their own productions.

The moment that this distinction has been explained to the British government they have been desirous of manifesting every attention to it; and if you sir, had been possessed of the necessary authority from your government, there would have been no difficulty in entering into a specific agreement with you upon the subject. In order, however, to obviate the objection, in a great degree, I have the honor to inform you, that it is intended to be proposed to parliament, that all cotton, brought into this country, in conformity to the orders in council, should be absolutely prohibited from being exported to the territories of the enemy. But as you are not prepared to take upon yourself to say that in no case the option would be acceptable, an option will still be left to the neutral owner, either to acquiesce in the total prohibition, or to re-export the article on the payment of such a duty as parliament may judge it expedient to impose.

I flatter myself, sir, that this alteration in the legislative regulations, by which the orders in council are intended to be carried into execution, will be considered by you as satisfactory evidence of the disposition of his majesty's government to consult the feelings, as well as the interests of the United States, in any manner which may not impair that measure of commercial restriction, to which the necessity of repelling the injustice of his enemies, has obliged his majesty reluctantly to have recourse.

I have the honor to be, &c.

(Signed) GEORGE CANNING.

William Pinkney, Esq. &c. &c.

Mr. Pinkney, to Mr. Canning.

Great Cumberland Place, February 28, 1808.

Mr. Pinkney presents his compliments to his excellency Mr. Canning, and has the honor to acknowledge the receipt of his note of yesterday, relative to an alteration on the subject of cotton, in the legislative regulations, by which the late orders in council are intended to be carried into execution, which Mr. Pinkney will hasten to transmit to his government.

Mr. Pinkney requests Mr. Canning to accept the assurances of his high consideration.

Extract of a letter from Mr. Pinkney, to Mr. Madison.

LONDON, *May* 9, 1808.

"I had a conversation with Mr. Canning on Friday last, in consequence of the arrival of the Osage.

"As it was obviously expected that I should seek an interview with him, I went to Downing street on the 5th with that object. He had been indisposed, and was not at the office; but in answer to a note which I sent him in the evening, he asked to see me next day at his house in Bruton street.

"The Osage had for some time been looked for with considerable anxiety, and the government had apparently anticipated a communication (and perhaps a proposal) of some importance from me, as soon as my dispatches should be received. As I had in fact no communication to make, it seemed to be proper that I should render the disappointment of as little moment as possible, by the manner of announcing it, without however putting any thing to hazard by an indiscreet manifestation of unnecessary solicitude.

"The little which I supposed it requisite to say on this occasion, appeared to be very well received; and if any disagreeable impression was left on the mind of Mr. Canning, it certainly was not visible. A feeling of regret was perhaps perceptible, and a hope was intimated that the time was not far distant when I should be enabled to do what at present was out of my power; but nothing occurred which could be construed into a symptom of impatience, jealousy, or dissatisfaction. There was undoubtedly no real ground for any thing of this sort; but it was, notwithstanding, quite possible that the importance which it had become a habit to attach to the arrival of the Osage, from circumstances principally accidental, might have produced a disposition to think otherwise.

"I thought it advisable to make use of this opportunity (although the topic was in many views more delicate than it had been) to suggest the propriety of yielding as the moment was sufficiently favorable to such a course, upon the subject of the late orders in council, of which I had seen nothing to change my original opinion. There was reason to apprehended however, that it might be worse than useless to press the suggestion, upon my own authority merely, while I could say nothing of the French decrees; and accordingly I forbore to do so.

"An idea has evidently gone forth since the Osage arrived, founded upon rumors of a doubtful description, that our relations with France have grown to be extremely precarious, and that we are consequently about to come to an understanding of a very friendly kind with Great Britain. It is not improbable that the government has, in some degree at least, adopted this idea.

"I have the honor to enclose a copy of a notification, recently received from Mr. Canning, of the blockade of Copenhagen, and of the other ports in the Island of Zealand, which I have caused to be communicated in the usual manner to our consuls and citizens."

"There being no particular inducement for detaining the Osage, lieutenant Lewis, who will be charged with my letters, will leave town the day after to morrow, and the ship will sail as soon after he reaches Falmouth as possible."

Extract of a letter from Mr. Pinkney to the Secretary of State of the United States, dated

"LONDON, June 5, 1808.

"I have the honor to acknowledge the receipt of your letter of the 4th of April, by Mr. Bethune, together with the printed and other copies of papers mentioned in it.

"I am to have an interview with Mr. Canning in a few days (which he will agree to consider extra-official) in the course of which I intend to press by every argument in my power, the propriety of their abandoning immediately their orders in council, and proposing to America (the only becoming course, as you very properly suggest) reparation for the outrage on the Chesapeake. I shall, for obvious reasons, do this informally, as my own act.

"Your unanswerable reply to Mr. Erskine's letter of the 23d February, has left nothing to be urged against the orders in council upon the score of right; but there may be room to hope that the effect which your reply can hardly have failed to produce upon ministers, as well by its tone as by its reasoning, will, if followed up, become, under actual circumstances, decisive. The discussion, which Mr. Rose's preliminary in the affair of the Chesapeake has undergone, gives encouragement to an expectation, that the government will not now be backward to relinquish it, and to renew their overture of satisfaction in a way more consistent with reason and more likely to produce a just and honorable result.

"You may be assured that I will not commit our government by any thing I shall do or say, if that, and I cannot make things better than they are, I will not make them worse.

"My view of the course which our honor and our interests have required and still require, is as you know, in precise conformity with that of the President; but if it were otherwise, I should make his view, and not my own, the rule of my conduct."

(To be Continued.)

PORTLAND, *(Maine,)* Nov. 29.

FORT PREBLE.

The fort lately constructed on Spring Point in Portland harbor, under the direction of *Henry A. S. Dearborn*, Esq. was named *Fort Preble* in due form, on Saturday last; and was at the same time taken possession of by capt. *Chandler's* company of U. S. Light Artillery. The stile and excellence of the work does great credit to the engineer who superintended its creation. The appearance and conduct of the troops bore honorable testimony of the skill and attention of their officers who have trained new recruits to the prompitude in evolution and the exactness of motion of veteran corps. The fort was graced by the presence of ladies and gentlemen of the highest respectability. An appropriate address was pronounced on the occasion by *W. D. Lincoln*, Esq. inspired by the ardent feelings of the orator and corresponded by the according sentiment of every patriotic bosom. The eulogium on our departed hero of the ocean, was expressive of the high estimation in which his character is held, and of the proud devotion in which his memory is cherished by his grateful and admiring countrymen.

The New-York Gazette states, that "the Argus sloop of war sailed a week ago for France, whither she has gone to snatch Mr. Armstrong from his perilous situation."

The celebrated Mr. *Horne Tooke*, died in London, in the beginning of October.

In Chancery, Dec. 3, 1808.

ORDERED, That the sale made by *James Butcher*, trustee for the sale of the real estate of *Thomas J. Seth*, shall be ratified and confirmed, unless cause to the contrary be shewn before the first day of February next: *Provided* a copy of this order be inserted three successive weeks in the Easton newspaper before the first day of January next. The report states that the real estate of the deceased was sold for $6460.

True copy. Test,

NICHS. BREWER, Reg. Cur. Can.

Take notice,

ALL persons whom it may concern, that I intend to petition the judges of Somerset county court, or some one of them, two months after the date hereof, for the benefit of an act of assembly, passed at November session, eighteen hundred and five, entitled, "an act for the relief of sundry insolvent debtors," and of the supplements thereto, to release me from debts which from a variety of losses I am unable to pay.

LITTLETON BRERETON.

December 6, 1808. 3q

Notice.

WAS committed to the jail of Frederick county, Maryland, on the 24th of October last, as a runaway, a negro man who calls himself *Bill Jones*, he appears to be about 23 or 24 years old, 5 feet 6 or 7 inches high, a pert impudent looking fellow, well made: he had on when committed a brown cloth coat, a pair of corduroy pantaloons, a pair of thread stockings and laced boots, a homespun linen shirt and fur hat; he has a scar on his left eye-brow, and one on his left breast, his back considerably marked with the whip; a large gap in his upper fore teeth—he says he is free and was raised in Pittsburgh, in the commonwealth of Pennsylvania, with General Nevell, and served his apprenticeship with Mr. Philip Thomas, to the barber business. The owner, if any, is requested to come and release him, otherwise he will be sold far his prison fees agreeably to law.

GEORGE CREAGER, Jun.

Sheriff of Frederick county, Md.

Nov. 8, (22) 1808. 8

Notice.

WAS committed to the gaol of Frederick county, Maryland, on the 10th instant, as a runaway, a negro man, who calls himself Billy Cooke, alias, Adam Goodlet; he is a smart active fellow, very black, appears to be about 27 or 28 years old, 5 feet 6 or 7 inches high, well made; he had on when committed, a mix'd colored cloth coatee, a white Marseilles waistcoat, a pair of striped nankeen pantaloons, black worsted stock, a furr hat, white linen shirt, with a gold breast pin, likewise a silver watch; he has a large bundle of clothing of various kinds, has a small scar above his eye, slightly pitted with the small pox in his face, and wears his hair platted over his forehead—He says he belongs to Mr. Seth Barton, of Frederick county, in the state of Virginia. The owner is hereby requested to come and release him, otherwise he will be sold for his prison fees agreeably to law.

GEORGE CREAGER, Jun.

Sheriff of Frederick county, Md.

Oct. 29 (Nov. 15) 1808. 8