DOCUMENTS

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

(Continued.)

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

Great Cumberland Place, Aug. 23d, 1808.

SIR—I have had the honor, in consequence of the orders of the president, to recal your attention, in the course of several recent interviews, to the British orders in council of the 7th of January, and 11th of November, 1807, and to the various orders founded upon or in execution of them; and I now take the liberty to renew, in the mode which I have understood to be indispenble, my instances on that subject.

I need scarcely remind you, sir, that the government of the United States has never ceased to consider these orders as violating its rights, and affecting most destructively its interests, upon grounds wholly inadmissible both in principle and fact.

The letters of Mr. Madison to Mr. Erskine of the 20th and 29th of March, 1807, produced by the official communication of that minister of the order of the 7th of January, and the answer of Mr. Madison of the 25th of March, 1808, to a like communication of the orders of the 11th November, contained the most direct remonstrances against the system which these orders introduce and execute, and expressed the confident expectation of the president that it would not be persisted in.

That expectation has not yet been fulfilled, but it has, notwithstanding, not been relinquished. The president is still persuaded that its accomplishment will result from a careful review by his majesty's government, made in the spirit of moderation and equity, of the facts, and considerations which belong to the occasion.

It is not my purpose to recapitulate in this note the statements and reasonings contained in the above mentioned letters of Mr. Madison, in support of the claim of the government of the United States, that the British orders be revoked. I content myself with referring to those letters for proofs which it is not necessary to repeat, and for arguments which I could not hope to improve.

But there are explanations which those letters do not contain, and which it is proper for me now to make. Even these, however, may be very briefly given since you have already been made acquainted in our late conversations with all their bearings and details.

These explanations go to shew, that while every motive of justice conspires to produce a disposition to recall the orders of which my government complains, it is become apparent that even their professed object will be best attained by their revocation.

I had the honor to state to you, sir that it was the intention of the president, in case Great Britain repealed her orders, as regarded the United States, to exercise the power vested in him by the act of the last session of congress, entitled, "An act to authorise the president of the United States, under certain conditions, to suspend the operation of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and the several supplementary acts thereto," by suspending the embargo law and its supplements, as regards Great Britain.

I am authorised to give you this assurance in the most formal manner; and I trust, that upon impartial enquiry, it will be found to leave no inducement to perseverance in the British orders, while it creates the most powerful inducements of equity and policy to abandon them.

On the score of justice, it does not seem possible to mistake the footing upon which this overture places the subject; and I venture to believe, that in any other view, there is as little room for doubt.

If, as I propose, your orders should be rescinded as to the United States, and our embargo rescinded as to Great Britain, the effect of these concurrent acts, will be that the commercial intercourse of the two countries will be immediately resumed; while, if France should adhere to maxims and conduct, derogatory to the neutral rights of the United States, the embargo, continuing as to her, will take the place of your orders, and lead, with an efficacy, not merely, equal to theirs, but probably much greater, to all the consequences that ought to result from them.

On the other hand, if France should concur in respecting those rights, and commerce should thus regain its immunities, and the law of nations its just dominion, all the alleged purposes of the British orders will have been at once fulfilled.

If I forbear to pursue these ideas through all the illustrations of which they are susceptible, it is because the personal conferences to which I have before alluded, as well as the obvious nature of the ideas themselves, rendered it unnecessary.

I cannot conclude this note without expressing my sincere wish that what I have now suggested, in conformity with the liberal sentiments and enlightened views of the president, may contribute not only to remove the more immediate obstacles to the ordinary intercourse of trade between your country and mine, in a manner consistent with the honor of both, but to prepare the way for a satisfactory adjustment of every question important to their future friendship.

I have the honor to be,

With the highest consideration, sir,

Your most obed't humble servt.

(Signed)

WM. PINKNEY.

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Extract of a letter from Mr. Pinkney to the secretary of state, dated 24 September, 1808, London.

"I am now enabled to transmit to you a copy of Mr. Canning's answer, received only last night, to my note of the 23d of August.

"I regret extremely that the views which I have been instructed to lay before this government have not been met by it as I had at first been led to expect. The overture cannot fail, however, to place in a strong light the just and liberal sentiments by which our government is animated, and in other respects to be useful and honorable to our country."

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From Mr. Canning to Mr. Pinkney.

Foreign office, Sept. 23d, 1808.

The undersigned, his majesty's principal secretary of state for foreign affairs, had the honor to receive the official letter addressed to him be Mr. Pinkney minister plenipotentiary of the United States, respecting the orders in council issued by his majesty on the 7th of January and 11th November, 1807.

He has laid that letter before the king, and he is commanded to assure Mr. Pinkney that the answer to the proposal which Mr. Pinkney was instructed to bring forward, has been deferred only in the hope that the renewed application which was understood to have been recently made by the government of the United States to that of France, might, in the new state of things which has arisen in Europe, have met with such a reception in France, as would have rendered the compliance of his majesty with that proposal, consistent as much with his majesty's own dignity and with the interests of his people, as it would have been with his majesty's disposition towards the United States. Unhappily there is now no longer any reason to believe that such hope is likely to be realized; and the undersigned is therefore commanded to communicate to Mr. Pinkney the decision which, under the circumstances as they stand, his majesty feels himself compelled, however unwillingly, to adopt.

The mitigated measure of retaliation announced by his majesty in the orders in council of the 7th January, and the further extension of that measure (an extension in operation but not in principle) by the orders in council of November, were founded (as has been already repeatedly avowed by his majesty) on the "unquestionable right of his majesty to retort upon the enemy the evils of his own injustice"—and upon the consideration, that "if third parties incidentally suffered by these retaliatory measures, they were to seek their redress from the power, by whose original aggression that retaliation was occasioned."

His majesty sees nothing in the embargo laid on by the president of the United States of America, which varies this original and simple state of the question.

If considered as a measure of impartial hostility against both belligerents, the embargo appears to his majesty to have been manifestly unjust, as, according to every principle of justice, that redress ought to have been first sought from the party originating the wrong. And his majesty cannot consent to buoy off that hostility which America ought not to have extended to him at the expence of a concession made not to America but to France.

If, as it has more generally been represented by the government of the United States, the embargo is only to be considered as an innocent municipal regulation, which affects none but the United States themselves, and with which no foreign state has any concern; viewed in this light, his majesty does not conceive that he has the right or the pretension to make any complaint of it, and he has made none. But in this light, there appears not only no reciprocity, but no assignable relation, between the repeal by the United States of a measure of voluntary self-restriction, and the surrender by his majesty of his right of retaliation against his enemies.

The government of the United States is not now, to be informed that the Berlin decree of November 21, 1806, was the practical commencement of an attempt not merely to check or impair the prosperity of Great Britain, but utterly to annihilate her political existence, through the ruin of her commercial prosperity; that in this attempt almost all the powers of the European continent have been compelled more or less to co-operate; and that the American embargo, though most assuredly not intended to that end (for America can have no real interest in the subversion of the British power, and her rulers are too enlightened to act from any impulse against the real interests of their country) but by some unfortunate concurrence of circumstances, without any hostile intention, the American embargo did come in aid of "the blockade of the European continent," precisely at the very moment when, if that blockade could have succeeded at all, this interposition of the American government would most effectually have contributed to its success.

To this universal combination, his majesty has opposed a temperate but a determined retaliation upon the enemy; trusting that a firm resistance would defeat this project, but knowing that the smallest concession would infallibly encourage a perseverance in it.

The struggle has been viewed by other powers not without an apprehension that it might be fatal to this country. The British government has not disguised from itself that the trial of such an experiment might be arduous and long; though it has never doubted of the final issue. But if the issue, such as the British government confidently anticipated, has providentially arrived much sooner than could have been hoped: if "the blockade of the continent," as it has been triumphantly styled by the enemy, is raised even before it had been well established; and if that system, of which extent and continuity were the vital principles, is broken up into fragments utterly harmless and contemptible; it is nevertheless important in the highest degree to the reputation of this country, (a reputation which constitutes great part of her power) that this disappointment of the hopes of her enemies should not have been purchased by any concession; that not a doubt should remain to distant times of her determination and of her ability to have continued her resistance; and that no step which could even mistakenly be construed into concession, should be taken on her part while the smallest link of the confederacy remains undissolved; or while it can be a question whether the plan devised for her destruction, has or has not either completely failed or been unequivocally abandoned.

These considerations compel his majesty to adhere to the principles on which the orders in council of the 7th January and the 11th November are founded, so long as France adheres to that system by which his majesty's retaliatory measures were occasioned and justified.

It is not improbable, indeed, that some alterations may be made on the orders in council, as they are at present framed; alterations calculated not to abate their spirit or impair their principle, but to adapt them more exactly to the different state of things which has fortunately grown up in Europe, and to combine all practicable relief to neutrals, with a more severe pressure upon the enemy.

But of alterations to be made with this view only, it would be uncandid to take any advantage in the present discussion: however, it might be hoped, that in their practical effect, they might prove beneficial to America, provided the operation of the embargo were not to prevent her from reaping that benefit.

It remains for the undersigned, to take notice of the last paragraph of Mr. Pinkney's letter. There cannot exist on the part of Mr. Pinkney, a stronger wish than there does on that of the undersigned, and of the British government, for the adjustment of all the differences subsisting between the two countries.

His majesty has no other disposition than to cultivate the most friendly intercourse with the United States.

The undersigned is persuaded that Mr. Pinkney would be one of the last to imagine, what is often idly asserted, that the depression of any other country is necessary, or serviceable to the prosperity of this. The prosperity of America is essentially the prosperity of Great Britain, and the strength and power of Great Britain are not for herself only, but for the world. When those adjustments shall take place, to which, though unfortunately not practicable at this moment, nor under the conditions prescribed by Mr. Pinkney, the undersigned, nevertheless, confidently looks forward; it will perhaps be no insecure pledge, for the continuance of the good understanding between the two countries, that they will have learnt duly to appreciate each other's friendship; and that it will not hereafter be imputed to Great Britain, either on the one hand that she envies American industry as prejudieed to British commerce, or, on the other hand, that she is compelled to court an intercourse with America, as absolutely necessary to her own existence.

His majesty would not hesitate to contribute, in any manner in his power, to restore to the commerce of the United States, its wonted activity; and if it were possible to make any sacrifice for the repeal of the embargo, without appearing to depreciate it as a measure of hostility, he would gladly have facilitated its removal as a measure of inconvenient restriction upon the American people.

The undersigned is commanded, in conclusion, to observe, that nothing is said in Mr. Pinkney's letter, of any intention to repeal the proclamation by which the ships of war of Great Britain are interdicted from all those rights of hospitality in the ports of the United States, which are freely allowed to the ships of his majesty's enemies.

The continuance of an interdiction which under such circumstances, amounts so nearly to direct hostility, after the willingness professed, and the attempt made by his majesty, to remove the cause on which that measure had been originally founded, would afford but an inauspicious omen for the commencement of a system of mutual conciliation; and the omission of any notice of that measure in the proposal which Mr. Pinkney had been instructed to bring forward, would have been of itself a material defect in the overture of the president.

But the undersigned is commanded no further to dwell upon this subject than for the purpose of assuring Mr. Pinkney, that on this and every other point in discussion between the two governments, his majesty earnestly desires the restoration of a perfect good understanding, and that his majesty would decline no measure for the attainment of that object, which should be compatible with his own honor and just rights, and with the interests of his people.

The undersigned reqursts Mr. Pinkney will accept the assurances of his high consideration.

(Signed)

GEORGE CANNING.

(To be Continued.)

List of Letters

Remaining in the Post-Office, Easton, Maryland, December 31, 1808.

SUSAN H. ADAMS, capt. Edward A. Auld. B. Rev. Jas. Bateman, Lewis Bush, Henry Banning, Wm. Berry. Benj. Blades, Elizabeth Bailey, Thos. Bullen, Eccleston Brown, Peter Barrick. Robert Bruff, John Baird. C. James Cain, Thomas Cray, The Clerk of Talbot County. D. William Dobson. Mary Dawson. E. Capt. Jos. Ervin (2) Charles Emory (3) Erastus Edgarton, Mrs. Darcus Edgar, Wm. Evangam, Jas Earle. F. Miss Ann K. Fiddeman, Miss Forman. G. Saml. Gorsuch, Ebenezer Gray (2). H. Mary Hill, Wm. Harrison, Mrs. Martha Harrison, Henry Harden, Mrs. P. Harrison, John Harwood, Geo. R. Haywsrd, Edwd. N. Hambleton. J. Dr. Theodere Johnson. Wm. Jenkins. K. John L. Kerr, Edmund P. Kennedy (2). L. John Lucas, Sa (2) Miss Tarecy Leonard, Jacob Loockerman, Thomas Laudry. M. Wm. Meluy, Robt. Moore, Littleton Morris. N. Thos. C. Nicols (2) Mrs. Eliza Nicols O. Charles Oram. P. James Price Jas. Parrott, Henry Parrott, Thos. Patrick. R. Wm. Roberts, John Roberts. Thos. Reynolds. S. James Smith, Lt. John R. Sherwood, Wm. B. Smith, Jos. Stangester. T. Levin Thomas, Mrs Severn Teackle, Solomon Turpin, Mis. Rachel Thomas (2) Teach Tighman. V. Saml. Vickars, W. John Wright John Wheeler, Ann Weaver, George Welch, Garey & Welch Thos. Watts.

BY HIS EXCELLENCY

ROBERT WRIGHT, ESQUIRE,

Governor of Maryland.

A PROCLAMATION.

WHEREAS the executive of the state of Virginia hath lately demanded of the executive of the state of Maryland, a certain GEORGE GORDON of Virginia, as a fugitive, from justice, alledged to be going at large in this state and hath transmitted an acquisition, taken by a coroner's inquest, dated the twenty-first day of September, in the year eighteen hundred and six, in Cumberland county, in said state of Virginia, charging said George Gordon with feloniously shooting and killing a certain negro slave called Bentley; I have therefore issued this my Proclamation, authorising and enjoining it on all civil officers, and others, citizens of this state, to arrest and commit said George Gordon to the jail of the county in which he may be found, and to give notice thereof to the executive of Maryland, that the executive of Virginia may be notified thereof agreeably to the act of congress in such case provided.

Given under my hand and the seal of the state of Maryland, at the city of Annapolis, this twentieth day of December in the year of Lord one thousand eight hundred and eight, and of the independence of the United States of America the thirty-third.

ROBERT WRIGHT.

By his Excellency's command,

NINIAN PINKNEY, Clerk of the Council.

Ordered, That the foregoing proclamation be published twice a week for six weeks, in the American and Federal Gazette, at Baltimore; the Maryland Gazette at Annapolis; the National Intelligencer; the Republican Advocate, at Frederick-Town; and in Mr. Smith's paper, at Easton.

For sale,

A FARM, containing one hundred and thirty-five acres of LAND, eighty-five acres of which is arable, the remainder in wood: This farm is in Oxford-Neck, on the waters of Third-haven and Island creeks, the situation is handsome, in a genteel neighbourhood, and the soil equal to any in the county.—For terms apply to Doct. T. Thomas, in Easton, or to the subscriber.

WM. THOMAS.

Talbot county, Sept. 27, 1808. tf

A CARD.

For all whom it suits.

CERTAIN vague and malicious insinuations having been secretly circulated, impeaching our conduct in furnishing the poor of Caroline county; we have hitherto suffered them to pass in silence, as the offspring of malignity, the freaks of prejudice, and the vengeance of personal mortification—But as those insinuations are introduced in a petition to the legislature of the state, we feel it our duty to notice them, but are at a loss for want of specification; we can only answer generally by calling, and we do hereby call upon and invite all or any person or persons, who have ever made use of any insinuations, or in any manner attempted to impeach our conduct in the aforementioned transaction, to come forward manly, openly & specifically with the charges, and produce to the world the grounds upon which they are made, as that would produce a full and thorough investigation, by an exhibition (publicly) of all our accounts from the time we commenced furnishing, to the present date; if our midnight enemies seriously believe the gross and palpable falsehoods (as we should then make them appear) which they have secretly and maliciously circulated, we might with confidence expect, promptly and specifically to be met with the charges; but if this public call for an investigation is not answered by a public exhibition of the charges specifically made, it will unequivocally demonstrate to the world, that the anonymous insinuations which have been secretly and maliciously thrown out against us, relative to the aforesaid transaction, was a wilful, wicked, base and malignant attempt to stab in the dark our private characters, to gratify as well the selfish views of insatiable avarice, as the malignance of a prejudice as rancorous as it is unmerited. We salute an investigation, which the more prompt the more agreeable to our wishes, the more public the more congenial with our intentions.

BROWN & CULBRETH.

Denton, Caroline county, Dec. 27, 1808. 3

In Kent County Court,

SEPTEMBER TERM, 1808.

ON Application to the Judges of the said county court, by petition in writing of *Benjamin Greenwood*, of said county, praying the benefit of the act for the relief of sundry insolvent debtors, and the several supplements thereto, on the terms mentioned in the said acts, a schedule of his property and list of his creditors, on oath, as far as he can ascertain them being annexed to his petition—and the said county court being satisfied by competent testimony, that the said Benjamin Greenwood has resided the two preceding years within the state of Maryland, prior to the passage of the said act; having also stated in his petition, that he is now in actual confinement for debt, and having produced the certificate of the sheriff of Kent county to that effect; and having prayed to be discharged from confinement on the terms prescribed in the said acts, and having given security for his personal appearance at the next county court, to answer any allegations that may be made against him by his creditors: It is thereupon adjudged and ordered that the said Benjamin Greenwood be discharged from his confinement, and by causing a copy of this order to be inserted in the Easton Star, once a week for four weeks successively, within three months before the twenty fifth day of March next, to give notice to his creditors to appear before the said county court, at the court house of said county, at 12 o'clock of the said day, for the purpose of recommending a trustee for their benefit, and to shew cause, if any they have, why the said Benjamin Greenwood should not have the benefit of the several acts of assembly for the relief of insolvent debtors, on his then and there taking the oath by the said act prescribed for delivering up his property.

Attest.

BENJAMIN CHAMBERS, Clk.

Notice.

ALL persons having claims against the estate of *John Blackiston*, deceased, are requested to exhibit their claims, properly authenticated, to the subscriber, on or before the first day of June next, otherwise they will be barred from all benefit of said estate. All persons indebted are requested to make immediate payment, otherwise they will be dealt with according to law.

ANN BLACKISTON,

Adm'rx of John Blackiston.

Chestertown, December 27, 1808—3

60 dollars reward,

WILL be given for taking up and securing, if taken out of the state, and forty dollars if taken in the state, a negro man named DANIEL, and all reasonable charges paid in addition, if delivered to the subscriber, or lodged in Easton jail. Daniel is thirty-four years of age, about five feet ten or eleven inches high, fleshy and stout made, his color dark, and when spoken to uses many motions with his head, especially when he has drank too much; his legs a little bowed—he is a handy fellow, has a turn to use the whip saw, and has worked as a labourer in ship yards, and also, on a farm. He absconded on the third of this month, and I believe took with him the following clothing—one coatee of forrest cloth, one striped swan-down waistcoat, and is very probable he has changed his clothes. I think he has taken the road to Philadelphia, as his father lives in Piney Neck, Queen Ann's county, and has many relations near the Beaver Dams.

FRANCIS WRIGHTSON.

Talbot county, Dec. 20, 1808. tf