cially communicated until the 31st of that month, had even reached any one point of the United States. So that some veſſels may have ſailed between the limited date and the arrival of the order in the United States, and many from diſtant ports muſt have done ſo after its arrival, but before a knowledge of it had become general; all proceeding on the faith of the arrangement, yet all left by the order expoſed to capture and condemnation.

3 The other does not provide for the important caſe of veſſels, which had failed on the like faith for Dutch ports other than thoſe of Holland.

4. It does not include in its proviſions the extenſive liſt of veſſels going indirectly from the United States, but directly from foreign ports to thoſe of Holland, nor veſſels trading entirely from foreign ports to Holland; and in both theſe inſtances proceeding on the faith of the arrangement profeſſed to be reſpected within the defined period.

It is true, in theſe laſt inſtances the veſſels were not to captured without an attempt, after contrary warning to proceed to thoſe ports. But I need not remind you that the injuries incident to the delay and to the breaking up of ſuch voyages cannot but have been conſiderable, and will have reſulted as manifeſtly from the diſappointed faith in the arrangement, as in the caſes eſpecially provided for, and conſequently with all other loſes fairly reſulting from the ſame bona fide confidence in that act, they will fall within the juſt indemnification for which the principle, aſſumed in the order, is a formal pledge.

I conclude, Sir, with preſſing upon your candid attention, that the least which the President could have looked for in conſeqeunce of a diſavowal of a tranſaction ſuch as was concluded by your predeceſſor and carried faithfully into effect by this government, was an explanation from yours of the diſavowal, not through the minister diſavowed, but through his ſucceſſor—an explanation founded on reaſons ſtrong and ſolid in themſelves, and preſented, neither verbally, nor vaguely, but in a form comporting with the occaſion, and with the reſpect due to the character and good faith of the diſappointed party,—that it has been found with much concern and with not leſs ſurprise, that you are charged with no ſuch explanations,—that you have apparently wiſhed to bring the ſubjects, which have been formally and definitively arranged, into freſh negociation, as if no ſuch arrangement had taken place; that one of the caſes thus ſlighted, viz. that of the frigate Chesapeake, is a caſe for which reparation, not denied to be due, had been previouſly ſo long withheld, or rather in which the aggreſſion itſelf has been ſpun out, to the preſent moment, by the continued detention of the mariners, whoſe ſeizure, making a part of the original hoſtility committed againſt the American frigate, muſt be regarded in a light analogous to a continued detention of the ſhip itſelf;—that in the other caſe, viz. that of the orders in council, you are not authoriſed to tender any explanations for the diſavowal, or to propoſe any new arrangement, nor to conclude any agreement, but ſolely to receive and diſcuss propoſitions which might be made to you, not concealing, at the ſame time, that, to be ſatisfactory, they muſt include two conditions, both inadmiſſible,—one, altogether irrevalent to the ſubject, and the other requiring nothing leſs than the ſurrender of an inalienable function of the national ſovereignty.

Notwithſtanding theſe repulſive conſiderations, ſuch is the diſpoſition of the President to facilitate a final and comprehenſive accommodation between the two nations, that he is ready, as I have already, had the honor of ſignifying to you, to favor any mode of bringing about ſo happy an event that may be found conſiſtent with the honor and the eſſential intereſt of the U. States.

I have the honor to be, &c.

(Signed) R. SMITH.

The Honorable
Francis James Jackſon, &c. &c. &c.

(A.)

Extract of a letter from Mr. Pinkney to Mr. Canning, dated London, Oct. 10, 1808.

"At our firſt interview (on the 29th June) verbal communication was not diſcountenanced, but commenced: For, after I had made myſelf underſtood as to the purpoſe for which the interview had been requeſted, you aſked me if I thought of taking a more formal courſe, but immediately added that you preſumed I did not, for that the courſe I had adopted was well ſuited to the occaſion. My reply was in ſubſtance, that the freedom of converſation was better adapted to our ſubject and more likely to conduct us to an advantageous concluſion, than the conſtraint and formality of written intercourſe, and that I had not intended to preſent a note. At the ſecond interview (on the 22d July) it did not occur to me that I had any reaſon to conclude, and certainly I did not conclude, that verbal communication had not continued to be acceptable as a preparatory courſe, and it was not until the third interview (on the 29th July) that it was rejected as inadmiſſible."

(B.)

(EXTRACT)

From Mr. Canning to Mr. Pinkney, dated Nov. 22, 1808.

"It is highly probable that I did not (as you say I did not) aſſign to you as the motive of the wiſh which I then expreſſed, my perſuaſion, that written communications are leſs liable to miſtake than verbal ones; because that conſideration is ſufficiently obvious, and becauſe the whole courſe and practice of office is, in that reſpect, ſo eſtabliſhed and invariable, that I really could not have ſuppoſed the aſſignment of any ſpecific motive to be neceſſary to account for my requiring a written ſtatement of your propoſals previous to my returning an official anſwer to them.

"I had taken for granted all along, that ſuch would, and ſuch muſt, be the ultimate proceeding on your part—however you might wiſh to prepare the way for it by preliminary converſations."

(C.)

Extract of a letter from Mr. Erskine to Mr. Smith, dated Washington, July 31st, 1809.

"Neither the preſent time, nor the occaſion will afford me a favorable opportunity for explaining to you the grounds and reaſons upon which I conceived I had conformed to his majeſty's wiſhes; and to the ſpirit, at leaſt, of my inſtructions upon that ſubject, nor indeed would any vindication of my conduct (whatever I may have to offer) be of any importsnce further than as it might tend to ſhew, that no intention exiſted on my part to practice any deception towards the government of the United States."

From the same to the same, dated August 14th, 1809.

"Under theſe circumſtances, therefore, finding that I could not obtain the recognitions ſpecified in Mr. Canning's diſpatch of the 23d of January, (which formed but *one part* of his inſtructions to me) in the formal manner required, I conſidered that it would be in vain to lay before the government of the United States the diſpatch in queſtion, which I was at *liberty* to have done *in extenſo*, had I thought proper. But as I had ſuch ſtrong grounds for believing that the object of his majeſty's government could be attained, though in a different manner, and the ſpirit, at leaſt, of my *ſeveral* letters of inſtruction be fully complied with, I felt a thorough conviction upon my mind, that I ſhould be acting in conformity with his majeſty's wiſhes, and accordingly concluded the late proviſional agreement on his majeſty's behalf with the government of the United States.

"The diſavowal by his majeſty is a painful proof to me that I had formed an erroneous judgment of his majeſty's views and the intention of my inſtructions; and I have moſt ſeverely to lament that an act of mine (though unintentionally) ſhould produce any embarraſsment in the relations between the two countries."

Mr. Jackſon to Mr. Smith.
Waſhington, 23d October, 1809.

SIR,

The letter, which you did me the honor to addreſs to me on the 19th inſt. was delivered to me on the following day. I ſhall, without loſs of time, tranſmit it to my court, where the various and important conſiderations which it embraces will receive the attention due to them.—In the interval, I would beg leave to ſubmit to you the following obſervations, as they ariſe out of the communications that have already occurred between us.

In fulfilling a duty which I conceive to be due to my public character, I have never ſuggeſted, nor meant to ſuggeſt, that the mode of negociating preſcribed by you on this particular occaſion—an occaſion ſelected for the purpoſe of removing exiſting differences—was otherwiſe objectionable, than as it appeared to me, to be leſs calculated, than it does to anſwer the profeſſed purpoſe of our negociation.

It was againſt the general principle of debarring a foreign miniſter, in the ſhort ſpace of one week after his arrival, and without any previous miſunderſtanding *with him*, from all perſonal intercourſe, that I thought it right to proteſt. Since however I find by your letter that it is not intended to apply that principle to me, I will only obſerve, that in the caſe which you mention to have occurred between Mr. Canning and Mr. Pinkney, the conferences were held, under an expectation at leaſt on the part of the former, of their leading to a written communication, whereas in ours, I, from the beginning, ſtated that I had no ſuch communication to make. There is alſo this eſſential difference between the two caſes, that Mr. Pinkney was charged to convey an important propoſal to His Majeſty's government, the particulars of which it might be very material to have correctly ſtated, whilſt the object of that part of my converſation, to which you ſeem to attach the moſt importance, was to ſay, that I was *not* charged to make any proprofal whatever.

It could not enter into my view, to withhold from you an explanation, merely becauſe it had been already given, but becauſe, having been ſo given, I could not imagine, until informed by you, that a repetition of it would be required at my hands,—I am quite certain that his majeſty's government having complied with what was conſidered to be the ſubſtantial duty impoſed upon it on this occaſion would, had this been foreſeen, have added to the proofs of conciliatory good faith already manifeſted, the farther complacency to the wiſhes of the United States of adopting the form of communication moſt agreeable to them, and of giving through me the explanation in queſtion. I have therefore no heſitation in informing you, that his majeſty was pleaſed to diſavow the agreement concluded between you and Mr. Erſkine, becauſe it was concluded in violation of that gentleman's inſtructions, and altogether without authority to ſubſcribe to the terms of it. Theſe inſtructions I now underſtand by your letter, as well from the obvious deduction which I took the liberty of making in mine of the 11th inſt. were at the time, in ſubſtance, made known to you; no ſtronger illuſtration therefore can be given of the deviation from them which occurred, than by a referrence to the terms of your agreement.

Nothing can be more notorious than the frequency with which, in the courſe of a complicated negociation, miniſters are furniſhed with a gradation of conditions, on which they may be ſucceſſively authoriſed to conclude. So common is the caſe which you put hypothetically, that in acceeding to the juſtice of your ſtatement, I feel myſelf impelled to make only one obſervation upon it, which is, that it does not ſtrike me as bearing upon the conſideration of the unauthorized agreement concluded here, in as much as in point of fact Mr. Erſkine had no ſuch graduated inſtruction. You are already acquainted with that which was given, and I have had the honor of informing you that it was the only one by which the conditions on which he was to conclude were preſcribed. So far from the terms, which he was actually induced to accept, having been contemplated in that inſtruction, he himſelf ſtates that they were ſubſtituted by you in lieu of thoſe originally propoſed.

It may perhaps be ſatisfactory that I ſhould ſay here that I moſt willingly ſubſcribe, on this occaſion, to the highly reſpectable authority which you have quoted, and I join iſſue with you upon the eſſentials which that authority requires to conſtitute a right to diſavow the act of a public miniſter.

It is not immaterial to obſerve on the qualification contained in the paſſage you have quoted—as it implies the caſe of a miniſter concluding *in virtue of a full power*. To this it would ſuffice to anſwer that Mr. Erſkine *had no full power*; and his act conſequently does not come within the range of your quotation, although it cannot be forgotten that the United States have at no very diſtant period, moſt freely exerciſed the right of withholding their ratification from even the authoriſed act of their own diplomatic agents, done under the avowed ſanction of a full power.

I conceive that what has been already ſaid eſtabliſhes beyond the reach of doubt or controverſy that his majeſty's miniſter did violate his inſtructions, and the conſequent right in his majeſty to diſavow an act ſo concluded. That his majeſty had *ſtrong and ſolid reaſons* for ſo doing will appear not only from his inſtruction, having been violated, but from the circumſtance that the violation of them involved the ſacrifice of a great ſyſtem of policy deliberately adopted and acted upon in juſt and neceſſary retaliation of the unprecedented modes of hoſtility reſorted to by his enemy.

There appears to have prevailed throughout the whole of this tranſaction a fundamental miſtake, which would ſuggeſt that his majeſty had propoſed to propitiate the government of the United States in order to induce it to conſent to the renewal of the commercial intercourſe between the two countries; as if ſuch had been the relations between Great Britain and America, that the advantages of that intercourſe were wholly on the ſide of the former; and as if in any arrangement, whether commercial or political, his majeſty could condeſcend to barter objects of national policy and dignity for permiſſion to trade with another country.

Without minutely calculating what may be the degree of preſſure left at Paris by the difference in the price of goods whether landed at Havre or at Hamburg. I will, in my turn appeal to your judgment, ſir, whether it be not a *ſtrong* and *ſolid reaſon*, worthy to guide the councils of a great and powerful monarch, to ſet bounds to that ſpirit of encroachment and univerſal dominion which would bend all things to its own ſtandard? Is it nothing in the preſent ſtate of the world, when the agents of France authoritatively announce to their victims "that Europe is ſubmitting and ſurrendering by degrees," that the world ſhould know, that there is a nation which by that Divine goodneſs ſtrongly appealed to in the paper to which I allude,* is enabled to falſify the aſſertion? Is it not important at ſuch a moment, that Europe and America ſhould be convinced, that from whatever countries honorable and manly reſiſtance to ſuch a ſpirit may have been baniſhed, it will ſtill be found in the ſovereign of the Britiſh nation and in the hearts of his ſubjects?

As to the precautions taken in England to inſure from injury upon this occaſion the citizens of the United States, and which appear to you to be even yet inſufficient, I am confident that in every doubtful caſe the uſual liberality of our tribunals will be exerciſed in determining upon the circumſtances of it; and it was at Mr. Pinkney's express requiſition, that additional inſtructions were given to the commanders of his majeſty's ſhips of war and privateers to extend to veſſels trading to the colonies, plantations and ſettlements of Holland, the ſame exemption from capture and moleſtation, as was granted to veſſels ſailing for any of the ports of Holland.

On the ſubject of return cargoes from thoſe ports, I muſt obſerve, that altho' it was intended to prevent as far as was practicable the inconveniences likely to be created by the unauthoriſed agreement made here in April laſt yet it was not and could not be intended to obviate all poſſible inconveniences, even ſuch as might have ariſen if no ſuch agreement had ever been made.

If an American veſſel had ſailed from America for Holland in time of profound peace, or in time of war, the ports of Holland not being at the date of ſailing under blockade, it might yet have happened that, in the period between the commencement of ſuch voyage and the arrival of the veſſel at the port of deſtination, a blockade might have been eſtabliſhed before that port. The veſſel arriving would, in that caſe, have been warned not to enter the port, and would have been turned away with the loſs of the whole object of the voyage. This would be no extraordinary hardſhip, and would afford no legitimate ground of complaint.

The order in council is far leſs ſtrict than ſuch a blockade would be, for as much as it provides for the original voyage, commenced in expectation of being admitted to the port of deſtination, by permitting the entry into the ports of Holland; and it is no juſt ground of complaint, that it does not ſuperadd to that permiſſion the liberty to re-export a cargo of the enemy's goods or produce.

I beg leave briefly to recapitulate the ſubſtance of what I have had the honor to convey to you as well in a verbal, as in written communications.

I have informed you of the reaſons of his majeſty's diſavowal of the agreement ſo often mentioned; I have ſhewn them, in obedience to the authority which you have quoted, to be both ſtrong and ſolid, and ſuch as to outweigh in the judgment of his majeſty's government, every other conſideration which you have contemplated; I have ſhewn that that agreement was not concluded in virtue of a full power, and that the inſtructions, given on the occaſion, were violated.

Beyond this point of explanation which was ſuppoſed to have been attained, but which is now given, by the preſent letter, in the form underſtood to be moſt agreeable to the American government, my inſtructions are proſpective; they look to ſubſtituting for notions of good underſtanding, erroneously entertained, practical ſtipulations on which a real reconciliation of all differences may be ſubſtantially founded; and they authoriſe me, not to renew propoſals which have already been declared here to be unacceptable, but to receive and diſcuss any propoſal made on the part of the United States, and *eventually* to conclude a convention between the two countries. It is not, of courſe, intended to call upon me to ſtate as a preliminary to negociation, what is the whole extent of thoſe inſtructions; they muſt, as I have before ſaid, remain ſubject to my own diſcretion, until I am enabled to apply them to the overtures, which I may have the honor of receiving from you.

I have the honor to be,
With great reſpect,
Sir,
Your moſt obedient humble ſerv't.
F. J. JACKSON.

The Honorable Robert Smith, &c. &c. &c.

* *Angereau's proclamation to the Catalenians.*

(Continued in last page.)

LAMBERT W. SPENCER,
HAS just received from BALTIMORE, *a freſh ſupply of*
Hardware and Groceries:
Together with a handſome aſſortment of
IRISH LINENS.
ALSO—A QUANTITY OF SALT.
Which, in addition to thoſe lately received from PHILADELPHIA, completes his aſſortment of
FALL GOODS:
All of which will be ſold on the moſt reaſonable terms for Cash or Country Produce.
Eaſton, December 5, 1809. 3

STAR.
General Advertiſer.
EASTON:—*FRIDAY MORNING,* DECEMBER 8, 1809.

IN order to lay before our readers the highly important Documents accompanying the President's Meſſage, with as little delay as practicable, we have this morning iſſued an *extra Star*, which will enable us to complete their publication in Tuesday's paper——To a careful and candid peruſal, the Editor reſpectfully invites the attention of his readers; and the preſervation of their papers to aid a correct opinion in the eventful iſſue.

By a late arrival, accounts of peace between France and Auſtria, are received; Bonaparte is ſaid to be marching into Spain, at the head of 100,000 men; and that the Engliſh troops had entirely evacuated the country.

A gentleman who left Annapolis on Tueſday laſt, informs that Mr. Brent's reſolutions (as heretofore publiſhed) paſſed the houſe of delegates, at a late hour the night before, after ſeveral days warm debate—particulars hereafter.

We are very happy in *believing* that the account of general Hampton's death muſt have been premature; though conveyed to us from Mr. B—h—n, a very reſpectable merchant of the Weſtern country. The ſecretary of war we underſtand, has received letters from gen. H. dated the 1ſt of November, when he was *at Charleſton*. Mr. B. we therefore preſume, was under a miſtake as to the name of the deceaſed announced in a Natchez paper. *(Whig.)*

The documents communicated to Congreſs and now publiſhed in the different prints, muſt overwhelm the tory faction with fear of general indignation for their unexampled and *numerous* falſehoods. On every point they are proved, by irrefragable teſtimony, to be liars. Gracious God! how can theſe wretches endure the frowns of a virtuous people,—or even the light of the ſun!——But, it is a mortifying truth that they have *many* companions in infamy and allegiance to Britain, in this infant country! What, in the name of Heaven, could have corrupted *ſo many natives* of this republic?—It is folly to talk of birth or place;—PRINCIPLES conſtitute character. Burr, Arnold, Pickering, Gardenier, Harper, and a thouſand like them, boaſted of being Americans—by birth!—Shame! Shame!

☞ Will the federal printers publiſh theſe "documents," and thus, in ſome meaſure expiate their crimes, by ſubmitting to their deceived and abuſed readers, the evidenee of their repeated and innumerable calumnies and downright lies? *(ib.*

Married, on Saturday night the 25th ult. *John Manſfield*, Eſq. of London, to Miſs *Mary B. Smith*, of Baltimore, daughter of General Smith.

Died, on Monday laſt, *David D. Barrow*, Eſq. late ſurveyor of this county.

Public ſale.
ON WEDNESDAY, the 27th of December, on a credit, the ſubſcribers will offer at public ſale, all the remaining perſonal eſtate of captain *Abner Parrott*, deceaſed, at his late dwelling, ſuch as one Horſe, two yoke of Oxen and Carts, ſix head of Cows, ſeven Beds and Bedding, Household and Kitchen Furniture, Corn Blades, Tops, Huſks and Straw; a quantity of nice Pork and Corn, &c. &c. The terms will be fully made known on the day of ſale, by
JOHN KENNARD,
THOMAS STEVENS, } Ex'ors.
December 8, 1809. 3

Notice.
ALL the creditors of *William Aſhford*, of Eaſton, deceaſed, are reſpectively invited to meet at Solomon Lowe's Tavern, in Eaſton, at 12 o'clock, on Wedneſday, 20th of this month—Something will then be laid before them for their benefit.
JOHN NABB, Jun.
Eaſton, December 8, 1809. 2

A Farm for ſale.
THE ſubſcriber offers for ſale his FARM, in Dirty Neck, Talbot county, handſomely ſituated on Harris's Creek, and abounds with fiſh, oyſters and wild fowl, in their ſeaſons. This property contains 184 and an half acres of Land, and is in good repair. The terms may be known by applying to the ſubſcriber or to William Caulk.
THOMAS LOWREY.
December 8, 1809. 3

For ſale,
A NEGRO WOMAN and two Children, to a purchaſer who lives in this county. The ſaid negro is ſold for no fault, being honeſt, and handy at houſe-work, and is an excellent Cook. For further particulars enquire of
RICHD. SHERWOOD.
December 8, 1809. 3