safe-guard to Mr. Jackson and his family during their stay in the United States. As the laws of this country allow an unobstructed passage through every part of it, and with the law of nations equally in force, protect public ministers and their families in all their privileges, such an application was regarded as somewhat singular. There was no hesitation however, in furnishing a certificate of his public character, and to be used in any mode he might chuse. But what surprised most was the reasons assigned for the application.

The insult he alluded to was then, for the first time, brought to the knowledge of this government. It had, indeed been among the rumours of the day, that some unbecoming scene had taken place at Norfolk or Hampton between some officers belonging to the Africaine and some of the inhabitants, and that it originated in the indiscretion of the former. No attention having been called for, and no enquiries made, the truth of the case is unknown. But it was never supposed that Mr. Jackson himself, who was on board the frigate had been personally insulted. Nor is it yet perceived in what way he considers it as having happened. It is needless to remark that any representation on the subject would have instantly received every proper attention.

Another ground on which a protection was asked for, is the supposed tendency of the language of our newspapers to excite popular violence on Mr. Jacksons person. Had he been longer and better acquainted with the habits and spirits of the American people, he would probably never have entertained an apprehension of that sort. If he meant to animadvert on the free language of the newspapers, he might justly be reminded that our laws, as those of his country, set bounds to that freedom; that the freedom of the British prints, however great with respect to public characters of the United States, has never been a topic of complaint and that supposing the latitude of the American press to exceed that of G. Britain, the difference is infinitely less in this respect between the two than between the British press and that of the other nations of Europe.

The second note seems to be essentially intended as a justification of the conduct of Mr. Jackson in that part of his correspondence which has given umbrage. If he intended it as a conciliatory advance, he ought not to have preceded by a demand of passports, nor by the spirit or the manner in which that demand was made. He ought, in [illegible] object to have substituted an explanation in the place of his reply to my premonitory letter.—But whether he had one or other, or both of these objects in view, it was necessary for him to have done more than is attempted in this paper.

It was never objected to him that he had stated it as a fact that the three propositions in question had been submitted to by Mr. Erskine, nor that he stated it, as made known to him by the instructions of Mr. Canning that the instruction to Mr. Erskine containing those three conditions was the only one from which his authority was derived to conclude an arrangement in the matter to which it related. The objection was that a knowledge of this *restriction* of the authority of Mr. Erskine was imputed to this government, and the repetition of the imputation even after it had been peremptorily disclaimed. This was so gross an attack on the honor and veracity of the government, as to forbid all further communications from him. Care was, nevertheless, taken at the same time to leave the door open for such as might be made through any other channel, however little the probability that any satisfactory communications would be received through any channel here.

To the other enclosures I add a printed copy of a paper purporting to be a circular letter from Mr. Jackson to the British consuls in the United States. This paper speaks for itself.—As its contents entirely correspond with the paper last referred to, as they were unnecessary for the ostensible object of the letter, which was to make known Mr. Jackson's change of residence, and as the paper was at once put into circulation, it can only be regarded as a virtual address to the American people of a representation previously addressed to their government—a procedure which cannot fail to be seen in its true light by his sovereign.

The observations, to which so much extent has been given in this letter, with those contained in the correspondence with Mr. Jackson will make you fully acquainted with the conduct and the character he has developed, with the necessity of the step taken for retaining further communications from him, and with the grounds on which the President instructs you to request, that he may be immediately recalled. You are particularly instructed at the same time in making these communications to do it in a manner that will leave no doubt of the undiminished desire of the U. States to unite in all the means the best calculated to establish the relations of the two countries on the solid foundation of justice, of friendship and of mutual interest.

With great respect, &c.
R. SMITH.

Wm. Pinkney, Esq. &c. &c. &c.

MR. CANNING TO MR. PINKNEY.

Foreign Office, May 27, 1809.

SIR,

According to the intimation, which I gave to you in our last conferrence, I, have now the honor to inclose to you a copy of the Orders in Council which his majesty has directed to be issued for the purpose of preventing as far as possible any inconvenience or detriment to the Merchants of the United States, who may have entered into commercial speculations on the faith of the unauthorized engagement of Mr. Erskine previously to the notification in America of his Majesty's disavowal of those engagements.

Having had the honor to read to you *in extenso* the instructions with which Mr. Erskine was furnished, it is not necessary for me to enter into any explanation of those points in which Mr. Erskine has acted, not only not in conformity, but in direct contradiction to them.

I forbear equally from troubling you sir, with any comment on the manner in which Mr. Erskine's communications have been received by the American government, or upon the terms and spirit of Mr. Smith's share of the consideration.

Such observations will be communicated more properly through the Minister, whom his Majesty has directed to proceed to America—not on any special mission (which Mr. Erskine was not authorized to promise except upon conditions not one of which he has obtained) but as the successor of Mr. Erskine whom his majesty has not lost a moment in recalling.

I have the honor to be with great consideration.

Sir,
Your most obedient,
Humble servant,
(Signed) GEORGE CANNING,

☞ Here follows the Orders in council of May 24, 1809, as published in the Star.

MR. PINKNEY'S ANSWER.

Great Cumberland Place, May 29, 1809.

SIR—I have received your communication which you did me the honor to address to me on the 27th instant, and will hasten to transmit it to the Secretary of State of the United States.

No instructions or information from my government concerning the transactions in America to which your communication aliudes having yet reached me, I can only express my concern that the conciliatory arrangements concerned and concluded, as you have done me the honor to inform me, between the American Secretary of State and his majesty's accredited Minister at Washington, acting in consequence, and professing to act in pursuance, of regular instructions from his Court, are not likely to have all that effect which was naturally to have been expected from them.

I have the honor to be,
With great consideration,
Sir,
Your most obedient,
Humble Servant,
WM. PINKNEY.

The Right Honorable George Canning, &c. &c. &c.

[Here follows the President's Proclamation and the Treasury Circular to Collectors, as published in the Star.]

Gen. Armstrong to Mr. Smith, Secretary of State.

Paris, 4th Sept. 1809.

SIR,

The letter of which I send you a copy, was received during my absence and detained in Paris till my return. The note promised in it has not yet been received. Mr. Warden informs me, that the Council of Prizes has been ordered to suspend their proceedings with regard to our vessels.

I have the honor to be, sir, with high consideration,

Your most obedient and
Very humble servant,
JOHN ARMSTRONG.

Count Champagny to Gen. Armstrong, Vienna, 8th August, 1809.

TRANSLATION.

SIR,

You have desired that one of the American vessels which are in the ports of France might be authorised to depart for the United States with your despatches. I have taken the orders of his majesty on the subject of this demand, and his majesty always disposed to facilitate your communications with your government, has permitted the departure of the vessel you shall designate. I inform the ministers of the marine and of the finances of this disposition, requesting them to ensure the execution of it so soon as you shall have made known to them the name of the vessel and the port from which she is to depart.

I have the honor, sir, to apprise you that I shall forthwith address to you a note by order of his majesty on the actual situation of our relations with the U. States Please to profit by the departure of the vessel to make this known to the federal government, and permit me also to send by that conveyance some despatches to the Minister Plenipotentiary of his Majesty to the United States.

Accept, sir, the assurances, &c. &c.
(Signed) CHAMPAGNY.

His Excellency Gen. Armstrong, &c. &c. &c.

Extract of a letter from Gen. Armstrong to Mr. Smith, Secretary of State.

Paris, 16th Sept. 1809.

"I received on the 6th inst. on my return from Holland, two notes from Count Champagny, copies of which I have the honor to inclose. In one of these you will find an exposition of the principles which have governed & which will continue to govern the conduct of his majesty with regard to neutral commerce. To this, which was offered as a definitive answe rto our propositions, I have believed that any reply, before I had received the further instructions of the President, would have been premature."

"Mr. Lawrence arrived at L'Orient on the 9th and Mr. Haswell at Paris, with your despatches of the 12th Aug. last, the 13th inst. I immediately communicated to Count Champagny the President's proclamation interdicting anew all commercial intercourse between the U. States and G. Britain, and gave such other explanations as the case appeared to require."

Extract of a letter from Count Champagny to Gen. Armstrong, dated Altenburg, Aug. 22, 1809.

TRANSLATION.

"I have the honor to address to you the subjoined note, which his majesty has ordered me to send to you, & which I have announced in my last despatch. If France does not do at this time all that the United States of America can desire, your government will be able to see that neither prejudice nor animosity influences its conduct; that it is the effect of its attachment to principles which the Americans, more than any other people are interested in supporting, and of the necessity of reprisals which circumstances impose. The Emperor will consider as an happy event that which shall enable him to contribute to the prosperity of America, in leaving to its commerce all the liberty and all the extension which can render it flourishing."

Offical note from Count Champagny to General Armstrong.

TRANSLATION.

ALTENBURG, Aug. 22, 1809.

SIR—His majesty the emperor, apprised that you are to send a vessel to America, has ordered me to make known to you the invariable principles which have regulated and which will regulate his conduct on the great question of neutrals.

France admits the principle, that the flag covers the merchadize.

A merchant vessel, sailing with all the necessary papers (avec les expeditions) from its government is a floating colony. To do violence to such a vessel, by visits, by searches, and by other acts of arbitrary authority, is to violate the territory or colony; this is, to infringe on the independence of its government. The seas do not beleng to any nation; they are the common property of mankind, and the domain of all.

Enemy merchant vessels belonging to individuals ought to be respected; individuals who do not fight ought not to be made prisoners of war. In all her conquests France has respected private property. The warehouses and the shops have remained with their proprietors. They have been free to dispose of their merchandize as they pleased. And at this moment a great number (couvois) of waggons loaded principally with cotton pass through the French armies, through Austria and Germany, on their way to such places as commerce has directed.

If France had adopted the usages of maritime war, all the merchandize of the continent of Europe would have been accumulated in France, and would have become a source of immense wealth.—Such would have been, without doubt, the pretentions of the English, if they had had on the land that superiority which they have obtained at sea. We should have seen, as in the times of barbarism, the vanquished sold as slaves and their lands parcelled out. Mercantile avidity would have usurped every thing: and the return to barbarous usages would have been the work of the government of a nation that has improved the arts and civilization. That government is not ignorant of the injustice of its maritime code—but what signifies to it, what is just? It only considers what is useful to itself.

Such are the principles of the Emperor on the usages and the rights of maritime war. When France shall have acquired a marine proportioned to the extent of her coasts and her population, the Emperor will put more and more in practice these maxims, and will use his endeavors to render the adoption of them general.

The right, or rather the pretention of blockading by Proclamation rivers and coasts is as monstrous (revoltante) as it is absurd. A right cannot be derived from the will or the caprice of one of the interested parties, but ought to be derived from the nature of things themselves. A place is not truly blockaded until it is invested by land and by sea: it is blockaded to prevent it from receiving the succours which might retard its surrender. It is only then, that the right of preventing neutral vessels from entering it, exists: for the place so attacked is in danger of being taken, and the dominion of it is doubtful, and contested by the master of the town and him who blockades or besieges it.—Hence the right of preventing even neutrals from having access to it.

The sovereignty and the independence of the flag are like the sovereignty and independence of the territory, the property of all neutrals. A state may give itself to another, may destroy the act of its independence, may change its sovereign: but the rights of sovereignty are indivisible and unalienable; none can give up any part of them.

England has placed France in a state of blockade. The Emperor by his decree of Berlin, has declared the Britannic Isles in a state of blockade. The first measure kept neutral vessels at a distance from France, the second has interdicted to them England.

By her orders in council of the 11th November, 1807, England has laid a toll on neutral vessels, and has obliged them to pass through her ports before they should go to the places of their destination. By a decree of the 17th of December, of the same year, the Emperor has declared those vessels, whose flag shall have been violated, degraded, trodden under foot as no longer belonging to their nations, (dinationalises.)

To screen itself from the acts of violence, with which this state of things threatened its commerce. America laid an embargo in her ports; and although France, who had done nothing more than resort to reprisals, saw her interests and the interests of her colonies wounded by this measure, nevertheless the Emperor applauded this generous determination of renouncing all commerce rather than acknowledge the dominion (domination) of the tyrants of the seas. The embargo has been raised, a system of exclusion has been substituted for it. The continental powers leagued against England make a common cause, they aim at the same object, they will reap the same advantages, they ought also to run the same hazard.—The ports of Holland, of the Elbe, of the Weser, of Italy and of Spain, will not enjoy ("*jouiront*") any advantage of which those of France may be deprived. They will both (les uns et les autres) be either open or shut at the the same time to the commerce of which they may be the object.

Thus, sir, France acknowledges in principle the liberty of the commerce of neutrals and the independence of maritime powers. She has respected them until the moment when the maritime tyranny of England (which respected nothing) and the arbitrary acts of its government have forced her to measures of reprisal, which she has not adopted but with reluctance. Let England revoke her declarations of blockade against France; France will revoke her decree of blockade against England. Let Eng revoke her orders in council of the 11th November, 1807; the decree of Milan will fall of itself. The American commerce will then have regained all its liberty and it will be sure of finding favor and protection in the ports of France. But it is for the U. States by their firmness to bring on these happy results.—Can a nation that wishes to remain free and sovereign, even balance between some temporary interests, and the great interests of its independence and the maintenance of its honor, of its sovereignty, and of its dignity.

Please to accept, sir, the assurance of my high consideration.

(Signed) CHAMPAGNY.

Congress.

HOUSE OF REPRESENTATIVES.

TUESDAY, NOVEMBER 28.

A message was received from the Senate, by Mr. Otis, their Secretary, informing the House that that body had formed a quorum, and was ready to proceed to business; and also that they had appointed a committee jointly with such committee as should have been appointed by the House, to wait on the President of the United States, and inform him that they were ready to receive such communications as he might have to make.

On motion of Mr. Smilie, seconded by Mr. Montgomery, it was resolved, that the several standing committees be now appointed, agreeable to the rules and orders of the House.

A memorial was laid before the House from the Legislative Council and House of Representatives of the Indiana territory, stating that the act of the last session for the division of the territory had operated to prevent the meeting of the Legislature of that territory, by reducing the number of members of the Legislature remaining within the territory of Indiana to less than a quorum.—Referred to a select committee with leave to report by bill or otherwise.

Leave of the House was asked and obtained by Mr. Poydras, to lay on the tables of the members certain printed papers in defence of the right of the city of New Orleans to the *Batture* in the suburb of St. Mary's.

Mr. Goodwyn, from the committee appointed to wait on the President of the United States, reported that they had performed the duty assigned to them; & that the President had returned for answer that he would make a communication in writing tomorrow morning at 12 o'clock, And the House adjourned.

Wednesday, Nov. 29.

After the presentation and reference of a few petitions a message was received from the President of the United States by Mr. Graham, as given in this paper.

The message and doucments accompanying the same were immediately read, referred to a committee of the whole House on the state of the Union, & 5000 copies ordered to be printed for the use of the House. And the House adjourned about three o'clock.

FROM THE NORFOLK HERALD A FEDERAL PRINT.

The only papers which we have observed to justify or palliate the conduct of Mr. Jackson, are, the, Federal Republican, edited by JACOB WAGNER; THE UNITED STATES' GAZETTE, BY E. BRONSON——THE NEW YORK EVENING POST, BY WM. COLEMAN——AND THE NEW YORK COMMERCIAL ADVERTISER, BY Z. LEWIS.—The first of those Editors is the man whom Timothy Pickering says "is fit to be Secretary of State"—had he told us that he was fit to be Secretary of the British Legation, probably more credit would be attached to his recommendation. The second Editor has been frequently denounced as a staunch advocate of England by the Editor of the Aurora—and has also declared that he is in the pay of England, without being contradicted. The third Editor is a Connecticut lawyer, a man of talents; but, fortunately for us, uses them to such disadvantage, that he is continually embroiled in political disputes, whereby the sentiments of the party he writes for, suffer a loss at every election in that State. The fourth Editor was formerly a Connecticut PARSON, but who not loving the ways of "pleasantness and peace," chose the ways of this "flowing wildness" in preference.

And now to review the sentiments of men equally prominent in political discussions, it is with pleasure we notice that MAJOR JACKSON and Mr. RELF of Philadelphia, have boldly stepped forward, in defiance of being accused of giving away to French contamination, and advocated and recommended a support of the proceedings of the administration towards Mr. Jackson. These gentlemen are both Federalists—The former bore a distinguished part in our revolutionary war, and was aid-de-camp to Gen. Washington during a great part of that period—and ever since has devoted his time and talents to the prosperity of his country. Of Mr. Relf we know but little—the open manner he conducts his paper, and the independent sentiments expressed therein, when, the honor of our country has been assailed warrant us in believing that he is no inconsiderable acquisition towards preserving a unanimity of sentiment, that Mr. Madison is guided by the principles of impartiality with both belligerents.

From Jackson's Political Register.

We regret that neither our time nor limits admit the insertion in this day's Register of the whole of the diplomatic correspondence, which is published in the National Intelligencer of Wednesday last. Giving preference to that part of it, which we deem most interesting, we now lay before our readers all the letters that have yet appeared between the Secretary of State and Mr. Jackson—and we rejoice to congratulate our fellow citizens on the vantage ground, which in this correspondence, as far as it is disclosed, has been maintained by the Executive of the United States, whose conduct, as distinguished, on this great national occasion, by temperate firmness and dignified propriety, we consider entitled to the thanks and applause of every American.

The editors of the Federal Republican say they strike off an impression *two thousand and three hundred* sheets, being the NUMBER of their SUBSCRIBERS. When their exchange list and the *wheel barrow loads* of that paper which are hurdled thro' the state to be given away to any person who will stop to read them, are deducted, we are confident their subscription list will contain but a slender portion of 2,300. It has confidently been asserted that during the first 18 months of the Federal Republican's existence, $ 10,000 were expended in its support, and but 1000 dollars received from its proceeds, leaving a deficit of 9000 dollars, which is in a very fair way of being drawn from the British Treasury, if it has not already been [illegible]