WASHINGTON, May, 19.

*Extract of a letter from Wm. Pinkney, Esq. to R. Smith, Esq. Secretary of State, dated London, March 21, 1810.*

"On the 27th of Nov. Mr. Brownell delivered to me your letters of the 11th, 14th, and 23d of the preceding month, and on the Saturday following I had a conference with the marquis Wellesley, in the course of which I explained to him fully the grounds upon which I was instructed to request Mr. Jackson's immediate recall, and upon which the official intercourse between that minister and the American government had been suspended.

Lord Wellesley's reception of what I said to him was frank and friendly; and I left him with a persuasion that we should have no cause to be dissatisfied with the final course of his government on the subjects of our conference.

We agreed in opinion that this interview could only be introductory to a more formal proceeding on my part; and it was accordingly settled between us that I should present an official letter, to the effect of my verbal communication.

Having prepared such a letter, I carried it myself to Downing street a few days afterwards, and accompanied the delivery of it to lord Wellesley with some explanatory observations, with which it is not necessary I presume to trouble you. You will find a copy of this letter inclosed, and will be able to collect from it the substance of the greater part of the statements and remarks which I thought it my duty to make in the conversation above mentioned.

A copy of the answer, received on the day of its date, is inclosed."

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(COPY.)

GREAT CUMBERLAND PLACE,
*2d January*, 1810.

MY LORD,

In the course of the official correspondence, which has lately taken place between the secretary of State of the United States, and Mr. Jackson, his majesty's envoy extraordinary and minister plenipotentiary at Washington, it has unfortunately happened that Mr. Jackson has made it necessary that I should receive the commands of the president to request his recal, and that, in the mean time the intercourse between that minister and the American government should be suspended.

I am quite sure, my lord, that I shall best consult your lordship's wishes and the respect which I owe to his majesty's government, by executing my duty on this occasion with perfect simplicity and frankness. My instructions, too, point to that course as required by the honor of the two governments, and as suited to the confidence which the president entertains in the disposition of his majesty's government to view in its true light the subject to which they relate.—With such inducements to exclude from this communication every thing which is not intimately connected with its purpose, and, on the other hand, to set forth with candor and explicitness the facts and considerations which really belong to the case, I should be unpardonable if I fatigued your lordship with unnecessary details, or affected any reserve.

It is known to your lordship that Mr. Jackson arrived in America, as the successor of Mr. Erskine, while the disappointment produced by the disavowal of the arrangement of the 19th of April, was yet recent, and while some other causes of dissatisfaction, which had been made to associate themselves with that disappointment, were in operation. But your lordship also knows that his reception by the American government was marked by all that kindness and respect which was due to the representative of a sovereign with whom the U. States were sincerely desirous of maintaining the most friendly relations.

Whatever were the hopes, which Mr. Jackson's mission had inspired, of satisfactory explanations and adjustments upon the prominent points of difference between the two countries, they certainly were not much encouraged by the conferences, in which, as far as he thought proper, he opened to Mr. Smith, soon after his arrival, the nature and extent of his powers and the views of his government. After an experiment, deemed by the government of the United States to be sufficient, it appeared that these conferences, necessarily liable to misconception and want of precision, were not likely to lead to any practical conclusion.

Accordingly, on the 9th of October, Mr. Smith addressed a letter to Mr. Jackson, in which, after stating the course of proceeding which the American government had supposed itself entitled to expect from him, with regard to the rejected arrangement and the matters embraced by it, and after recapitulating what Mr. Smith believed to have passed in their recent interviews relative to those subjects, he intimated that it was thought expedient that their future discussions, on that particular occasion, should be in writing.

It is evident, my lord, from Mr. Jackson's reply of the 11th of the same month, that he received this intimation (which, carefully restricted as it was, he seems to have been willing to understand in a general sense) with considerable sensibility. He speaks of it in that reply as being without example in the annals of diplomacy; as a step against which it was fit to enter his protest; as a violation in his person of the most essential rights of a public minister; as a new difficulty thrown in the way of a restoration of a thorough good understanding between the two countries.

I need not remark to your lordship that nothing of all this could with propriety be said of a proceeding, in itself entirely regular and usual, required by the state of the discussions to which it only was to be applied, and proposed in a manner perfectly decorous and unexceptionable. The government of the United States had expected from Mr. Jackson an explanation of the grounds of the refusal on the part of his government, to abide by Mr. Erskine's arrangement, accompanied by a substitution of other propositions. It had been collected from Mr. Jackson's conversations, that he had no powers whatsoever to give any such explanation; or, in the business of the orders in council, to offer any substitute for the rejected agreement; or, in the affair of the Chesapeake, to offer any substitute that could be accepted; and it had been inferred, from the same conversations, that, even if the American government should propose a substitute for that part of the disavowed adjustment which regarded the orders in council, the substitute could not be agreed to (if indeed Mr. Jackson had power to do more than discuss it) unless it should distinctly recognize conditions which had already been declared to be wholly inadmissible. To what valuable end, my lord, loose conversations, having in view either no definite result, or none that was attainable, could, under such circumstances and upon such topics, be continued, it would not be easy to discover; and I think I may venture to assume that the subsequent written correspondence has completely shewn that they could not have been otherwise than fruitless, and that they were not too soon abandoned for that more formal course, to which from the beginning they could only be considered as preparatory.

After remonstering against the wish of the government to give to the further discussions a written form, Mr. Jackson disposes himself to conform to it; and, speaking in the same letter of the disavowal of the arrangement of April, he declares, that he was not provided with instructions to explain the motives of it; and he seems to intimate that explanation through him was unnecessary, not only because it had already been made through other channels, but because the government of the United States had entered into the arrangement with a knowledge, "that it *could only* lead to the consequences that actually followed." In the conclusion of the fourth paragraph of the letter he informs Mr. Smith, that the dispatch of Mr. Canning to Mr. Erskine, which Mr. Smith had made the basis of an official correspondence with the latter minister, and which had been read to the American minister in London," was the only dispatch, by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement with the United States on the matter to which it related.

Mr. Smith's answer to this letter bears date the 19th of October; and I beg your lordship's permission to introduce from it the following quotation: "The stress you have laid on what you have been pleased to state as the substitution of the terms finally agreed on" (in the arrangement of April on the orders in council) "for the terms first proposed" (by Mr. Erskine) "has excited no small degree of surprize.—Certain it is that your predecessor did present for my consideration the same conditions which now appear in the present document—that he was disposed to urge them more than the nature of two of them (both palpably inadmissible, and one more than merely inamissible) could permit—and that on finding his first proposal unsuccessful, the more reasonable terms, comprized in the arrangement respecting the orders in council, were adopted—And what is there in this to countenance the conclusion you have drawn in favour of the right of his Britannic majesty to disavow the proceeding? Is any thing more common in public negociations, than to begin with a higher demand, and that failing, to descend to a lower? To have, if not two sets of instructions, two, or more than two grades of propositions in the same set of instructions; to begin with what is the most desirable, and to end with what is found to be admissible, in case the more desirable should not be attainable? This must be obvious to every understanding, and is confirmed by universal experience.

Whatever are the real and entire instructions given to your predecessor, is a question essentially between him and his government. That he had, or at least that he believed he had, sufficient authority to conclude the arrangement, his formal assurances during our discussions were such as to leave no room for doubt. His subsequent letter of the 15th of June, renewing his assurance to me, "that the terms of the agreement so happily concluded by the recent negociation will be strictly fulfilled on the part of his majesty," is an evident indication of what his persuasion then was as to his instructions. And with a view to shew what his impressions have been even since the disavowal, I must take the liberty of referring you to the annexed extracts (see C.) from his official letters of the 31st of July, and of the 14th of August.

"The declaration that the despatch from Mr. Canning to Mr. Erskine of the 22d of January is the only despatch by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement on the matter to which it relates, is now for the first time made to this government. And I need hardly add that, if the despatch had been communicated at the time of the arrangement, or if it had been known that the propositions contained in it, and which were at first presented by Mr. Erskine, were the only ones on which he was authorised to make an arrangement, the arrangement would not have been made."

I suppose, my Lord, that it was impossible to disclaim for the American government, in more precise and intelligent language than is found in this quotation, all knowledge of Mr. Erskine's instructions incompatable with a sincere, honorable and justifiable belief that he was, as he professed to be, fully authorised to make the agreement in which he undertook to pledge the faith of his majesty's government. Yet in Mr. Jackson's next letter (of the 23d of October) to Mr. Smith, he says—"I have therefore no hesitation in informing you that his majesty was pleased to disavow the arrangement, concluded between you and Mr. Erskine, because it was *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 as from the obvious deductions which I took the liberty of making in mine of the 11th instant, 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 reference to the terms of your agreement."

Your lordship will allow me to take for granted that this passage cannot be understood. Its direct and evident tendency is to fasten upon the government of the United States an imputation most injurious to its honor and veracity. The charge, that it had all along been substantially apprized, however it might affect to be ignorant of the instructions which Mr. Erskine's arrangement was said to have violated, had before been insinuated; but it is here openly made, in reply, too, to a paper, in which the contrary is formally declared by the official organ of the American government.

This harsh accusation, enhanced by the tone of the letter in which it appeared, was in all respects as extraordinary as it was offensive. It took the shape of an inference from facts and asseverations which necessarily led to the opposite conclusion. It was preferred as an answer to a claim of explanations which Mr. Jackson professed not to be authorised by his government to offer at all, but which he chose so to offer from himself as to convert explanation into insult.—It was advanced, not only without proof, and against proof, but against all color of probability. It could scarcely have been advanced under any conviction that it was necessary to the case which Mr. Jackson was to maintain; for his majesty's government had disavowed Mr. Erskine's arrangement, according to Mr. Jackson's own representation, without any reference to the knowledge which this accusation imputed to the government of the United States; and it need not be stated that no allusion whatever was made to it by Mr. Secretary Canning, in those informal communications to me which Mr. Jackson has mentioned. It was not, moreover, to have been expected that, in the apparent state of Mr. Jackson's powers, and in the actual posture of his negociation, he would seek to irritate where he could not arrange, and sharpen disappointment by studied and unprovoked indignity.

The course, which the government of the United States adopted on this painful occasion, was such as at once demonstrated a sincere respect for the public character with which Mr. Jackson was invested, and a due sense of its own dignity. Mr. Jackson's conduct had left a feeble hope that intercourse with him, unproductive of good as it must be, might still be reconcileable with the honor of the American government. A fair opportunity was accordingly presented to him of making it so, by Mr. Smith's letter of the 1st of Nov. of which I beg leave to insert the concluding paragraph:

"I abstain, sir, from making any particular animadversions on several irrevelant and improper allusions in your letter, not at all comporting with the professed disposition to adjust in an amicable manner the differences unhappily subsisting betwegn the too countries. But it would be improper to conclude the few observations, to which I purposely limit myself, without adverting to your repetition of a language, implying a knowledge on the part of this government, that the instructions of your predecessor did not authorise the arrangement formed by him. After the explicit and peremptory asseveration, that this government had no such knowledge, and that with such knowledge no such arrangement would have been entered into, the view, which you again presented of the subject, makes it my duty to apprize you, that such insinuations are inadmissible in the intercourse of a foreign minister with a government that understands what it owes to itself."

Whatever was the sense, in which Mr. Jackson had used the expressions to which the American government took exception, he was now aware of the sense in which they were understood; and, consequently, was called upon, if he had been misapprehended, to say so. His expressions conveyed an injurious meaning, supported moreover by the context; and the notice taken of them had not exceeded the bounds of just admonition. To have explained away even an imaginary affront, would have been no degradation; but when an occasion was thus offered to qualify real and severe imputations upon the government to which he was accredited, it could scarcely be otherwise than a duty to take immediate advantage of it.

Such however was not Mr. Jackson's opinion. He preferred answering the appeal, which had been made to him, by reiterating with aggravations the offensive insinuation. He says, in the last paragraph of his letter of the 4th of November to Mr. Smith—"You will find that, in my correspondence with you, I have carefully avoided drawing conclusions *that did not necessarily follow from the premises advanced by me; and least of all* should I think of uttering an insinuation where I was unable to *substantiate a fact*. To *facts*, such as I have become acquainted with them, I have scrupulously adhered. *In so doing I must continue*, whenever the good faith of his majesty's government is called in question, to vindicate its honor and dignity, in the manner that appears to me best calculated for that purpose."

To this, my lord, there could be but one reply. Official intercourse with Mr. Jackson could no longer be productive of any effects that were not rather to be avoided than desired: and it was plainly impossible that it should continue. He was, therefore, informed by Mr. Smith, in a letter of the 8th of November, which recapitulated the inducements to this unavoidable step, that no further communications would be received from him; that the necessity of this determination would without delay be made known to his government; and that in the meantime, a ready attention would be given to any communication, affecting the interests of the two nations, through any other channel that might be substituted.

The president has been pleased to direct that I should make known this necessity to his majesty's government, and at the same time request that Mr. Jackson be recalled. And I am particularly instructed to do this in a manner that will leave no doubt of the undiminished desire of the United States to unite in all the means the best calculated to establish the relations of the two countries on the solid foundations of justice, of friendship and of mutual interest.—I am further particularly instructed, my lord, to make his majesty's government sensible, that in requiring the recal of Mr. Jackson, the U. States wish not to be understood as in any degree obstructing communications which may lead to a friendly accommodation, but that, on the contrary, they sincerely retain the desire, which they have constantly professed, to facilitate so happy an event, and that nothing will be more agreeably to them than to find the minister, who has rendered himself so justly obnoxious, replaced by another, who, with a different character, may carry with him all the authorities and instructions requisite for the complete success of his mission, or if the attainment of this object through my agency should be considered more expeditious, or otherwise preferrble that it will be a course entirely satisfactory to the U. States.

The instructions, which I lay before your lordship without disguise, require no comment.

Before I conclude this letter it may be proper very shortly to advert to two communications, received by Mr. secretary Smith, from Mr. Oakley after the correspondence with Mr. Jackson had ceased.

The first of these communications (of which I am not able to ascertain the date) requested a document, having the effect of a special passport, or safeguard, for Mr. Jackson and his family, during their further stay in the United States. This application was regarded as somewhat singular, but the document of which the necessity was not perceived, was nevertheless furnished. The reasons assigned for the application excited some surprise. I have troubled your lordship, in conversation, with a few remarks, from my instructions, upon one of those reasons, which I will take the liberty to repeat. The paper in question states that Mr. Jackson "had already been once most grossly insulted by the inhabitants of Hampton, in the unprovoked language of abuse held by them to several officers bearing the king's uniform; when those officers were themselves violently assaulted, and put in imminent danger."

I am given to understand, my lord, that the insult, here alluded to, was for the first time brought under the notice of the American government by this paper; that it had, indeed, been among the rumours of the day that some unbecoming scene had taken place at Hampton or Norfolk, between some officers belonging to the Africane frigate and some of the inhabitants, and that it took its rise in the indiscretion of the former—that no attention to the circumstance having been called for, and no enquiry having been made, the truth of the case is unknown; but that it was never supposed that Mr. Jackson himself, who was on board the frigate, had been personally insulted; nor is yet understood in what way he supposes that he was so. I am authorised to add, that any complaint or representation on the subject would instantly have received every proper attention.

The other commuications (of which the substance was soon afterwards published to the American people in the form of a circular letter from Mr. Jackson to the British consuls in the United States) seems to have been intended as a *justification* of his conduct in that part of his correspondence which had given umbrage to the American government. This paper (bearing date the 13th Nov.) is not very explicit; but it would appear to be calculated to give rather a new form of the statements, which Mr. Jackson had suffered the government of the United States to view in another light, until it had no choice but to act upon the obvious and natural interpretation of them sanctioned by himself.

It was never objected to Mr. Jackson (as this paper seems to suggest) that he had stated that the three propositions, in Mr. Erskine's original instructions, were submitted to Mr. Smith, by that gentleman; or that he had stated it as made known to him by Mr. Canning, that the instructions to Mr. Erskine, contained those three propositions, was the only one from which his authority was derived from the conclusion of an arrangement on the matter to which it related.

The object was, that he had ascribed to the American government a knowledge, that the propositions, submitted to its consideration by Mr. Erskine, were indispensable conditions; and that he did so, even after that knowledge had been distinctly disclaimed, and had been made to perceive that a repetition of the allegation could not be suffered. I willingly leave your lordship to judge, whether Mr. Jackson's correspondence will bear any other construction than it in fact received; and whether, supposing it to have been erroneously construed, his letter of the 4th of November should not have corrected the mistake, instead of confirming and establishing it.

As an *explanation*, this paper was even worse than nothing. It had not the appearance of an attempt to rectify misapprehension. It sought to put the American government in the wrong, by assuming that what had given so much umbrage ought not to have given any.—It imparted reproach, rather than explanation. It kept out of sight the real offence, and, introducing a new and insufficient one in its place, seemed to disclose no other wish than to withdraw from the government of the United States the ground upon which it had proceeded. Its apparent purpose, in a word, was to fix a charge of injustice upon the past, not to produce a beneficial effect upon the future. In this view, and in this only, it was perfectly consistent that it should announce Mr. Jackson's determination to retire to New-York.

The time when this paper was presented will not have escaped your lordship's observations. It followed the demand, already mentioned, of a safeguard for "Mr. Jackson, his family, and the gentlemen attached to his mission;" a demand which cannot be regarded, especially if we look to the inducements to which it was referred, as either conciliatory or respectful. It followed, too, the letter of the fourth of November, which, had explanation been intended, ought undoubtedly to have contained it, but which, in lieu of it, contained fresh matter of provocation. It was itself allowed by the publication of its own substance in another garb. On the very day of its date, when Mr. Jackson if he meant it as an explanation, could not be justified in concluding that it would not be satisfactory, it was moulded by him into the circular address to which I have before alluded; and immediate steps appear to have been taken to give to it in that shape the utmost publicity. I have no wish, my lord, to make any strong remarks upon that proceeding. It will be admitted that it was a great irregularity; and that, if Mr. Jackson had been particularly anxious to close every avenue to reconciliation between the American government and himself, he could not have fallen upon a better expedient.

I have now only to add, my lord, [illegible]