I have the honor to be, sir, with very great respect, your most obedient and very humble servant,

(Signed) JOHN ARMSTRONG.

Honorable Robert Smith.

Extract of a letter to the same from the same.

" 10th March. I have at length received a verbal message in answer to my note of the 21st ult. It was from the Minister of foreign relations, and in the following words: " His majesty has decided to sell the American property seized in Spain, but the money arising therefrom shall remain in depot." This message has given occasion to a letter marked No. 2

(No. 2.) *Paris, 10th March*, 1810.

Sir, I had yesterday the honor of receiving a verbal message from your excellency, stating, that his majesty had decided that the American property seized in the ports of Spain should be sold, but that the money arising therefrom should remain in depot."

On receiving this information, two questions suggested themselves—

1st. Whether this decision was, or was not, extended to ships, as well as to cargoes? and

2d. Whether the money arising from the sales which might be made under it, would, or would not, be subject to the issue of the pending negociation?

The gentleman charged with the delivery of your message not having been instructed to answer these questions, it becomes my duty to present them to your excellency, and to request a solution of them. Nor is it less a duty, on my part, to examine the ground on which his majesty has been pleased to take this decision, which I understand to be that of *reprisal*, suggested for the first time in the note you did me the honor to write to me on the 14th ultimo. In the 4th paragraph of this note, it is said, that " His majesty could not have calculated on the measures taken by the United States, who having no grounds of complaint against France, have comprised her in their acts of exclusion, and since the month of May last have prohibited the entry into their ports of French vessels, by subjecting them to confiscation."

It is true that the United States have since the 20th of May last forbidden the entry of French vessels into their harbors—and it is also true that the penalty of confiscation attaches to the violation of this law. But in what respect does this offend France? Will she refuse to us the right of regulating commerce within our own ports? Or will she deny that the law in question is a regulation merely municipal? Examine it both as to object and means—what does it more than forbid American ships from going into the ports of France, and French ships from coming into those of the United States? And why this prohibition? To avoid injury and insult; to escape that lawlessness, which is declared to be " a forced consequence of the decrees of the British council." If then its object be purely defensive, what are its means? Simply a *law*, previously and generally promulgated, operating solely within the territory of the U. States, and punishing alike the infractors of it, whether citizens of the said states, or others. And what is this but the exercise of a right, common to all nations, of excluding at their will foreign commerce, and of enforcing that exclusion? Can this be deemed a wrong to France? Can this be regarded as a legitimate cause of reprisal on the part of a power, who makes it the first duty of nations to defend their sovereignty and who even denationalizes the ships of those who will not subscribe to the opinion.

But it has been said that the " United States had nothing to complain of against France."

Was the capture and condemnation of a ship driven on the shores of France by stress of weather and the perils of the sea—nothing? Was the seizure and sequestration of many cargoes brought to France in ships violating no law and admitted to regular entry at the imperial custom houses—nothing? Was the violation of our maritime rights, consecrated as they have been by the solemn forms of a public treaty—nothing? In a word, was it nothing that our ships were burnt on the high seas, without other offence than that of belonging to the United States; or other apology, than was to be found in the enhanced safety of the perpetrator? Surely if it be the duty of the U. States to *resent* the theoretical usurpations of the British orders of Nov. 1807, it cannot be less their duty to *complain* of the daily and practical outrages on the part of France! It is indeed true that were the people of the U. S. destitute of policy, of honor and of energy (as has been insinuated) they might have adopted a system of discrimination between the two great belligerents; they might have drawn imaginary lines between the first and second aggressor; they might have resented in the one a conduct to which they tamely submitted in the other, and in this way have patched up a compromise between honor and interest, equally weak and disgraceful. But such was not the course they pursued, and it is perhaps a necessary consequence of the justice of their measures that they are at this day an independent nation. But I will not press this part of my subject; it would be affrontful to your excellency (knowing as you do, that there are not less than one hundred American ships within his majesty's possession, or that of his allies) to multiply proofs that the U. States have grounds of complaint against France.

My attention is necessarily called to another part of the same paragraph, which immediately follows the quotation already made. " As soon," says your excellency, " as His Majesty was informed of this measure (the non-intercourse law) it became his duty to retaliate upon the American vessels, not only within his own territories, but also within the countries under his influence. In the ports of Holland, Spain, Italy and Naples, the American vessels have been seized, because the *Americans had seized French vessels.*

These remarks divide themselves into the following heads:

1st. The right of His Majesty to seize and confiscate American vessels, within his own territories.

2d. The right to do so within the territories of his allies; and

3d. The reason of that right, viz. " *because Americans had seized French vessels.*"

The first of these subjects has been already examined; and the second must be decided like the first, since his Majesty's rights within the limits of his ally cannot be greater than within his own—If then it has been shewn, that the non-intercourse law was merely defensive in its object; that it was but intended to guard against that state of violence which unhappily prevailed; that it was restricted in its operation to the territory of the United States, and that it was duly promulgated there and in Europe before execution, it will be almost unnecessary to repeat, that a law of such description cannot authorise a measure of reprisal, equally sudden and silent in its enactment and application, founded on no previous wrong, productive of no previous complaint, and operating beyond the limits of his Majesty's territories and within those of sovereigns, who had even *invited* the commerce of the United States to their ports.

It is therefore the third subject only, *the reason of the right*, which remains to be examined; and with regard to it I may observe, that if the alledged fact which forms this reason be unfounded, the reason itself fails and the right with it. In this view of the business I may be permitted to enquire, when & where any seizure of a French vessel has taken place under the non intercourse law? and at the same time to express my firm persuasion, that no such seizure has been made: a persuasion founded alike on the silence of the government and of the journals of the country, & still more on the positive declaration of several well informed and respectable persons who have left America as late as the 26th of December last. My conclusion therefore is—that no French vessel having violated the law, no seizure of such vessel has occurred, and that the report which has reached Paris is probably founded on a circumstance altogether unconnected with the non-intercourse law or its operation.

Though far from wishing to prolong this letter, I cannot close it without remarking the great and sudden change wrought in His Majesty's sentiments with regard to the defensive system adopted by the United States. The law, which is now believed to furnish ground for reprisal, was first communicated to His Majesty in June or July last, and certainly did not *then* excite any suspicion or feeling unfriendly to the American government. Far from this, its communication was immediately followed by overtures of accommodation, which, though productive of no positive arrangement, did not make matters worse than they found them.

On the 22d of August last I was honored with a full exposition of the views and principles which had governed, and which should continue to govern His Majesty's policy in relation to the United States, and in *this* we do not find the slightest trace of complaint against the provisions of the law in question.

At a period later than the 22d of August, an American ship, destined to a port of Spain, was captured by a French privateer. An appeal was made to His Majesty's minister of war, who, having submitted the case, received orders to *liberate all American vessels destined to Spanish ports, which had not violated the Imperial decrees.*

Another American ship, at a point of time still later than the capture of the preceding, was brought into the port of Bayonne, but *having violated no law* of his Majesty, was acquitted by his council of prizes; and lastly—

In the long conversation I had the honor of holding with your Excellency on the 25th of January, no idea of reprisal was maintained by you nor suspected by me; but on the contrary, in speaking of the seizure of American property in Spain, you expressly declared, that it was not a *confiscation.*

Can proofs be more conclusive, that from the first promulgation of the law down to the 25th of January last, nothing in the nature of reprisal was contemplated by his majesty?

What circumstance may have since occurred to produce a change in his opinion, I know not; but the confidence I feel in the open and loyal policy of his majesty, altogether excludes the idea, that the rule was merely found for the occasion, and made to justify seizures, not otherwise justifiable.

I pray your Excellency to accept, &c. &c.

(Signed) JOHN ARMSTRONG.

His Excellency the Duke of Cadore, Minister of Exterior Relations.

Extract of a letter from General Armstrong to Mr. Smith, dated Paris, the 4th April, 1810.

After seven weeks detention in England, the John Adams has at length got back to France. She arrived in the roads of Havre on the 28th ultimo.

I informed Mr. Champagny, 1st. that Mr. Pinkney had not been able to send by this conveyance the result of his application to the British government concerning the blockades of France prior to the Berlin decree; but that he hoped to be able to send it in a few days by another conveyance; and 2d. that if he (Mr. Champagny) had any thing to communicate which would have the effect of changing the present relations of the two countries, and which he wished to be early known to the government of the United States, he would do well to let me know it within 24 hours, as the messenger would leave Paris within that time. To this message I received from him the following answer: That " for some days past nothing in the nature of business and unconnected with the marriage of the Emperor could be transacted; and that for some days to come the same cause of delay would continue to operate; that my letters were still before the Emperor, and that he would seize the first moment to get some decision in relation to them."—Thus you see every thing is yet in air.

Copy of a letter from Mr. Pinkney to General Armstrong, dated London, 23d March, 1810.

DEAR SIR.—Although I have detained the corvette much longer than I wished, I am not yet able to send you the result of my application to this government concerning the British blockades of France prior to the Berlin decree. I expect to receive it in a very few days, and will immediately forward it to you by Mr. Lee, by the way of Morlaix, for it seems that the French government will not permit a messenger to land at any other port.

I have the honor to be, &c. &c.

(Signed) W. PINKNEY.

His Excellency Gen. Armstrong.

Extract of a letter from General Armstrong to Mr. Smith, dated Paris, 7th April, 1810.

" The Emperor left Paris two days ago for St. Cloud, whence he goes to Compeigne, where he will remain till Easter. It is not probable that I shall have an answer to my propositions till he returns to Paris. The day before he set out he gave me a ship to carry myself and family to the U. States. The minister recommended that I should not pin myself down to a day as to departure, *as circumstances might make it proper for me to stay somewhat longer than I now intended.* The treaty between France and Holland was ratified the 30th March, and will be published this day in Holland. I am assured that it contains the following article.

" Toutes les marchandises venues sur les batimens Americains entres dans les ports de la Hollande depuis le 1er Janvier, 1809, seront missous le sequestre et appartriendront a la France pour en desposer selon les circonstances et les relations politiques avec les Etats-Unis."* You will see by the copy enclosed of a decree of the king of Naples, that he has put his gains beyond the reach of negociation. The ports of Prussia are opened to our commerce. Avoid both Prussia and Denmark till you have other assurances."

NAPLES 12 March, 1810.

Joachim Napoleon, King of the two Sicilies has decreed and does decree that which follows:

ART. 1. In conformity to the orders which we have given from Paris the 21st of December, 1809, we declare confiscated the American vessels whose names are subjoined; that is to say—

The Augustus, Hercules, Zephyr, Sophia, Romp, Two Betseys, Kite, Sukey and Betsey, Mary, capt. Derby, Syren Emily, capt. Waterman, Francis, Hound Peace, Victory, Dove, Urania, Fortune. William, Nancy, Maria, Hamilton, Phœnix, Ousitonack, Rose and Mary, Orozimbo, Amherst, Mary-Ann, Lousiana, and the John.

ART. 2. Such of the cargoes of the said vessels as have not yet been sold, as well as the ships, are hereby directed to be disposed of at public sale, by the Minister Administrator-General of the indirect duties, and under the inspection of our Minister of Finances, or may be otherwise sold at private sale, by the said Minister, as he shall judge most conducive to our interests.

ART. 3 The proceeds of these sales shall be deposited in a particular bank, to be hereafter employed as we shall judge convenient.

ART. 4 If any of the captors of the aforesaid vessels have claims upon them which they may think proper to advance they are authorised to present and explain their pretentions in relation to the same, and we shall decide thereupon in pursuance of the report which we shall cause to be made to us by our Minister of the Finances and Minister of the Marine and of war, after having taken the opinion of a commission composed of one of the administrator generals of indirect duties, of one member of the council of maritime prizes, and of one officer of the marine.

Our ministers of the finances, of war, and of the marine, are charged as far as it concerns them respectively, with the execution of the present decree.

(Signed) JOACHIM NAPOLEON

Paris, 16th April 1810.

SIR.—The John Adams being yet detained, I am able to inform you, that on the 11th instant the Emperor directed the sale of all the American vessels in the ports of Spain, and that the money arising therefrom should be placed in his *caisse privee.* He has also refused to give up the *Hero* and has ordered that the case be brought before the council of prizes, where condemnation necessarily awaits it. I send a copy of a note upon which this last order was taken and another relating to our business in Naples, and am, sir, with very high consideration, your most obedient, and very humble servant, JOHN ARMSTRONG.

Hon. R. Smith, &c.

Paris, 25th March, 1810.

SIR—The United States, wishing to fulfil their engagements to the holders of their public debts in Holland, but unable from the present state of commerce to do so by the ordinary mode of remitting bills of exchange, found it necessary to enter into contracts with certain merchants of the said states, to make remittances in *tobacco* A cargo of this article was accordingly put on board the American ship Hero, and dispatched for the port of Tonningen, in Denmark, with orders that the net profits should be placed in the hands of the American bankers in Amsterdam, for the purpose above mentioned. The passage having been uncommonly stormy, the ship much damaged and the crew quite exhausted, the captain believed it to be his duty, on the principle of self preservation, to enter the first port he could make. He accordingly entered that of the Texel, and, after having taken on board two pilots, and being within the fourth buoy, was captured by a boat belonging to a French privateer. Besides the customary papers, all of which are in rule, the Hero sailed under a certificate, granted by the government, that the voyage was undertaken for the purpose of effecting a *national remittance.*

I have thought, sir, that the peculiarity of these circumstances, made it proper for me to ask a special decision of his Majesty on this case, and with this view I have the honor of offering to your Excellency the present representation. Accept, sir, &c.

(Signed) JOHN ARMSTRONG.

His Excellency the Duke of Cadore.

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21 *March*, 1810, *Paris.*

SIR—I had yesterday the honor of stating to your Excellency the case of the American ship *Hero*, and requested thereon his Majesty's decision. I have now that of informing you that a number of American ships coming directly from the United States to the port of Naples, under a promise of protection from his Majesty the King, have notwithstanding been seized and their cargoes sold " for the benefit of the fisc." Nor does the injury stop here. Though thus deprived of all means of subsisting themselves, the captains have been obliged to subsist the crews [amounting nearly to 300 men] and are now menaced with a farther exaction for port charges. This, in the strong language of one of the sufferers, is literally to strip them naked, and then to demand from them the expence of doing so. As the consular agent of the United States at Naples has made several unavailing representations on this subject to the King, and as he has reason to believe that the system, of which this treatment is a branch, emanates from his Majesty the Emperor, it becomes my duty to submit the facts to your Excellency, and to seek, through your intervention, such correction of the evil as humanity and justice may conspire to dictate. A remark which equally applies to the crews of the ships captured in Spain and Naples, is, that should the vessels to which they belong be confiscated, means ought to be afforded them of returning to their country in this event, therefore, I have to propose to propose to your Excellency, that two or three ships be put at the disposition of the nearest American Consul, and permitted to sail for the United States under bond, for the amount of their valuation respectively.

I am, sir, &c.

(Signed) JOHN ARMSTRONG.

H. E. the Duke of Cadore.

On the 3d February official notice was given to Mr. Bourne, the American Consul at Amsterdam, " that no American vessel whatever would be admitted into the ports of Holland."

Died, on Thursday last, *James Berry*, of this county.

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* " *All the merchandise conveyed into the ports of Holland on board American vessels, since the first day of January*, 1809, *shall be put under sequestration, subject to the disposition of France, according to circumstances, and the political relations with the United States.*"

To rent,

A TWO STORY *Frame Dwelling House*, well finished, and a *Store House* two story, both in Centreville—Immediate possession may be had. For terms apply to the subscriber in Centreville.

MARMADUKE TILDEN.

June 19, 1810. 3

Notice.

By Virtue of an Order of the Orphan's Court of Talbot County.

NOTICE is hereby given to all persons concerned, that probate is intended to be taken of the last Will and Testament of *Samuel Keene*, D. D. late of Talbot county, deceased, on Thursday the 21st inst. (June)—All persons interested in the same, are hereby warned to be and appear at the Office of the Register of Wills of Talbot county, at the court house in Easton, to make objections, if any they have, why the said last Will and Testament should not be proved according to law.

June 19, 1810. 1

For sale,

A SMALL FARM in the Bayside, handsomely situated on Harris's Creek, containing 50 acres, and at present in the occupation of *Aquilla Cummins*:

ALSO, FOR SALE,

A small convenient well finished *House and Lot* in the town of Easton, situated in the neighbourhood of Doctor Tristram Thomas, and Mr. James Earle—It will suit a small family, and will be sold for good paper, or on a credit of three or four years. I will also rent, for the ensuing year, the Farm where I lately resided on Miles River.

JAMES SETH.

June 19, 1810. m

DENTON LOTTERY.

DENTON, Tuesday, June 12, 1810.

THE Managers to the LOTTERY authorised by law to raise a sum of money for the purpose of building a School House in the village of Denton, in Caroline county, met at the Court-House, for the purpose of considering the progress which had been made in the sale of the Tickets in said Lottery—and upon a full investigation of the subject, it is the unanimous opinion of the Managers, that from the progress which has been made, and the general disposition of the people in Caroline as it respects Lotteries, that the tickets cannot be sold—*It is therefore resolved*, That all persons who have purchased tickets, may call on the persons from whom they purchased, receive their money, and return the tickets.

All persons who have received tickets for sale, are requested (as early as possible) to return those *on hand to* Thomas Richardson, Esq. and those which have been sold and may be returned within two months; and if they are not all returned within that period, then they will please to pay over the money to the said Thomas Richardson for the tickets sold and not returned.

All persons having claims against the Managers, will forward them to Thomas Richardson, Esq. for settlement.

And it is further resolved, that the scheme of said Lottery be no longer published, and that these proceedings be published two weeks in the newspapers at Easton, the Monitor and Star.

THOMAS RICHARDSON,
SOLOMON BROWN,
WILLIAM POTTER,
WILLIAM HUGHLETT,
GEORGE REID.
HENRY HELME,

Notice.

ALL persons having claims against the estate of *Levin Smith*, deceased, late of Caroline county, are hereby warned to exhibit the same properly authenticated, to the subscriber, on or before the 25th of December next; otherwise they will be barred the same. Given under my hand this 14th day of June, 1810.

LEVIN SWIGGETT, Ex'or of Levin Smith, dec'd.

Caroline county, June 19, 1810. 3q

Notice.

ALL persons indebted to the estate of *Thomas Bell*, late of Talbot county, deceased, are requested to make immediate payment to the subscriber—And all those having any just claims against said estate, are requested to exhibit them, legally authenticated for settlement, to

ROBERT BELL, Adm'r of Thomas Bell, dec'd.

Caroline county, June 19, 1810. 3

New and Cheap Goods.

THE Subscribers have just received, their

Spring assortment of GOODS,

FROM PHILADELPHIA,

Consisting of a variety of articles adapted to the season, which they will sell at the most reduced prices, for CASH

JOS. & WM. HASKINS.

Easton, June 12, 1810. m

For sale,

Between Thirty and Forty Thousand Good

CYPRESS SHINGLES.

If applied for in a few days, may be had on moderate terms.

SAML. HOLMES, & *Co.*

Easton, June 12, 1810 3

One hundred dollars reward.

RAN away from the subscriber living in Caroline county, on the first day of January last, a negro man named *Charles Wilson*, about five feet ten or eleven inches high, well made; has a scar on one of his legs occasioned by the cut of an axe last spring—He is a handy fellow in a blacksmith's shop, or on a farm; smart to talk, of a yellow complexion. Fifty dollars will be given if taken in the state, and the above, if taken out of the state and brought to the subscriber, or secured in any jail in Maryland, so that I get him again.

WILLIAM START.

Greensborough, June 19, 1810. 3

FOR SALE,

A negro woman & two children, for a term of years. W. START.