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OFFICE OF ORDNANCE,

Saint John, New-Brunswick, 1st January, 1810.
BILLS of EXCHANGE on the Right Honourable and Honourable Board of Ordnance and Paymasters of the Royal Artillery, to be disposed of at the above Office, to the best bidder.

GEORGE M'CALL,

BEGS leave to inform the Public that he has Removed to his New Store, on the South side of the Market-Square, adjoining Messrs. PETERS and WIGGINS, where Business in future will be carried on by

M'CALL and HENDERSON,

They having a General Assortment of DRY GOODS and GROCERIES by the latest Ships from London, Liverpool and Greenock, which will be sold on reasonable terms. Saint John, 18th September, 1809.

JOHN BLACK, & Co.

Have Received by the Ship ROSINA from GREENOCK, Brig JANE from LIVERPOOL, and Ship TRIUMVIRATE from LONDON, AN EXTENSIVE ASSORTMENT OF BRITISH MERCHANDISE, Suitable for the Country and the Season, as usual. Saint John, 12th June, 1809.

JOHN ROBINSON,

Has Received by the Ship SUSPENCE, from LONDON, THE FOLLOWING ARTICLES, viz. SECOND and coarse CLOTHS; 6-4 Fearnought; Patent Web for Pantalons; Lisbon Baize; White, Red, and Yellow Flannels; Point Blanketing; Rose Blankets 7-4, 8-4, 9-4 and 12-4; Calimancoes; Durants; Wilbores; Bombazets. Which with his former Stock he will sell on reasonable terms. Saint John, 6th November, 1809.

ROBERT SHIVES, & Co.

Have received per Ships ARGO and SUSPENCE from LIVERPOOL and LONDON, and Ship MARY, from GREENOCK, AN ASSORTMENT OF BROAD and narrow Cloths, Bath Coatings, Men's Silk and Beaver Hats, and a General Assortment of White and Printed Cotton Goods,—which with their Stock previously on hand will be sold very low for prompt payment. ST. JOHN, 11th DECEMBER, 1809.

GEORGE D. BERTON,

Has Received by the TRIUMVIRATE, the VENUS, and the BEE from LONDON, In Addition to his former Importation, A General Assortment of Goods Of the best Quality, which he will sell on very low terms for good payments, at his Store fronting the Parade, FREDERICTON—Among which are STATIONARY of all descriptions, Drum Heads, Parchments, Irish Linens, Calicos, Gingham, Dimity, Cambrics, Dowls, Sheetings, India Cottons, Silk Handkerchiefs, Ladies and Gentlemen's Gloves and Hoses, Glafs of various description, Sun Raisins, Currants, Oatmeal, Scotch Barley, Durham Mustard, Salmon and Herring Twine, Paints and Oil, Roll Brimstone, Copperas and Allum, Cognac Brandy, Broad Cloths, Serges, Strong Yorkshire Cloths, Cassimeres, Coating, Swanfdown Vest Patterns, Elastics, Milled Baize, White, Red and Yellow Flannels, Blankets, Silk, Twill and Threads, Ironmongery, Cutlery, A variety of Nails, Boot Legs, Sole Leather, Heel and Blacking Balls, Tin Ware and Japan, Souchong and Bohea Teas, Loaf Sugar, Spanish Leather, Kid Shoes, Port Wine, Brown Stout. Ladies and Gentlemen's Hats of the latest Fashions are also supplied from his Manufactory at Fredericton, so well established for Hats of the best quality and much more durable as well as at lower prices than those imported. Fredericton, 9th September, 1809.

NOTICE.

ALL Persons having any legal Demands against the Estate of the late DANIEL M'GRIGOR, of Mirimachi, deceased, are hereby required to render them duly attested within Eighteen Calendar Months from the date hereof; and all those indebted to said Estate, are requested to make immediate payment to ANN M'GRIGOR, Administratrix. MURDOCH M'KINZIE, PETER STEWART, Administrators. MIRIMACHI, 10th MARCH, 1808.

Documents, which accompanied the Message of the President of the United States.

(CONCLUDED.)

MR. SMITH TO MR. PINKNEY.

Department of State, November 23, 1809.

SIR—My letters in the correspondence with Mr. Jackson, already transmitted to you, sufficiently evince the disappointment that was felt on finding that he had not been charged to make to this government either the frank explanations or the liberal propositions, which the occasion manifestly required. Instead of this obvious course of proceeding, it was in the outset perceived, that his object was to bring us to resume the subject of the arrangement of April in a way, that would imply that we were aware that the arrangement was not binding on his government, because made with a knowledge on our part that Mr. Erskine had no authority to make it, and thus to convert the responsibility of his government for the disavowal into a reproach on this for its conduct in the transaction disavowed. In the first instance it was deemed best rather to repel his observations argumentatively than to meet them as an offensive insinuation.— This forbearance had not the expected effect of restraining him from a repetition of the offence. And even on his further insinuations nothing more was done than to premonish him of the inadmissibility of so indecorous a course of proceeding. This also being without effect, nothing remained but the step finally taken. And there was the less hesitation in shutting the door to further opportunities for insinuating insinuations, as the disclosures he had made and the spirit of his discussions had so entirely shut it to the hope of any favorable result from his mission.

I will not dwell on his reluctance to give up the uncertainties of verbal for the precision of written discussion; nor on the manner or the time of his denial that he had given any room at all for a statement, which, in order to guard against the misconceptions incident to verbal conferences, I had placed before him in writing, with a request that he would point out any inaccuracies, and to which he did not then object otherwise than by intimating, that he could not have made the statement with the particular view which seemed to be supposed. Nor will I dwell on the various influences in which partial or inconsistent views of the subject have taken place of its real merits. But it may not be amiss to make some observations on the correspondence, as it relates to the justification of his government in having disavowed the act of his predecessor.

With respect to the Orders in Council, the ground of the disavowal is the difference between the arrangement and the printed dispatch of Mr. Canning to Mr. Erskine of the 23d January. According to this dispatch then the arrangement failed in three points.

1st. In not relinquishing the trade of the United States with enemies colonies.

With respect to this point it is not necessary at this time to discuss the right of that trade. It is sufficient to remark, 1st. that as the trade is admitted to have become, in the view of Great-Britain, of little practical importance, why has it been made a ground of the disavowal, and, especially, as important considerations only could upon principles of public law have justified a measure of so serious a character? 2d. that as the colonial trade is a subject so wife connected either with the Orders in Council or with the affair of the Chesapeake, why has it been permitted to frustrate an arrangement relating to those subjects; and to those only? 3d. that as this condition is allowed to have originated in a supposition, that it would be agreeable to the American government, why has it been persisted in after the error was made known by the representation of Mr. Erskine to his government, that neither this nor the other conditions of the dispatch of the 23d January were attainable here?

2d. Another point in the dispatch, and not in the arrangement, is, that the British navy might capture our trade to ports prohibited by the United States.

This condition too appears to have had its origin in a mistake of your meaning in a conversation with Mr. Canning, as noted by yourself, and in an inference thence deduced as to the disposition of this government. But this double mistake must have been brought to light in time to have been corrected in the new mission. In urging it Mr. Canning has taken a ground, forbidden by those principles of decorum, which regulate and mark the proceedings of governments towards each other. In his dispatch the condition is stated to be for the purpose of securing the bona-fide intention of America to prevent her citizens from trading with France and certain other powers. In other words, to secure a pledge to that effect against the mala fide intention of the United States. And this dispatch too was authorized to be communicated in extenso to the government of which such language was used. Might it not have been reasonably expected that such a condition and such observations would at least on such an occasion have been given up by a government willing to smooth the way to an amicable settlement of existing differences?

In his zeal to vindicate his government Mr. Jackson too has attempted a gloss on this most extraordinary idea of calling on a foreign sovereignty, not indeed to make laws for us, but, what is equivalent in principle to supply a supposed inability to execute them. He calls such an interposition of his government, not an execution of the law of Congress, but of a compact binding as a public law on both parties, and which both would have a common interest in seeing duly executed. On his own principles there ought to be a reciprocity, not only in the execution of the compact, but in the obligation and interest resulting from it. Besides where there is a reciprocity in compacts between nations touching attributes of sovereignty there is always as much of sovereignty gained as is parted with, so that there be no loss nor indignity on either side.

3d. The remaining point in the dispatch, not secured by the arrangement is that which required that while our prohibitory laws should be repealed as to Great-Britain, they should be left in force as to France and the powers adopting or acting under her decrees.

This is the condition which alone properly belongs to the subject, and it is to be remarked in the first place that the British project, of which this condition makes a part, contemplated two things in their nature incompatible; one, a repeal of the prohibitory acts as to Great-Britain, without waiting for the conclusion of a regular treaty; the other, a pledge or engagement for their continuance as to the other powers. Now, from the nature of our constitution, which, in this particular, ought to have been attended to by the British government, it is manifest that the executive authority could have given no such pledge; that the continuance of the prohibitory acts, being a subject of legislative consideration, could not have been provided for until the meeting of the legislature; and that the condition could not therefore but have failed, either in the immediate renewal of commerce with Great-Britain, or in the immediate engagement that it should not be renewed with France. The British government ought to have acquiesced in; and, indeed, ought to have been satisfied with the attainment of the important object of an immediate repeal of our prohibitory laws, and with the consideration, that the other object, not immediately attainable, was unnecessary at the time, because the prohibition as to France was then in force, and because there was every reason to infer, not only from this fact, but from the spirit of the communications made from time to time, and from the overtures before submitted to the British government, that, without a repeal of the French decrees, our prohibitory laws would be continued in force against France, and especially in the case of a repeal of the British orders, which would necessarily render a continuance of the French decrees doubly obnoxious.

But if on this head doubts could have been entertained, instead of rejecting the arrangement, ought not the repealing act on our part to have been met with a suspension at least of the Orders in Council, until it could have been seen whether the non-intercourse law would or would not have been continued against France. Such a suspension could not have given, in any point of view, more advantage to the United States, than was given to Great-Britain by the repeal which had taken place on their part.

If this reasonable course could not have been substituted for the disavowal suspended with a proposition, that the arrangement would be executed by Great-Britain, in the event of a compliance on the part of the United States with the condition required as to France?

I am not unaware, you may be told, the non-intercourse law of the United States did not extend to Holland, though so intimately connected with France, and so subservient to her decrees against neutral commerce.

It would not be improper on this occasion to observe, that this objection can be the less urged by Great-Britain, as she has herself never in her alleged retaliations adhered to the principle on which they were founded.

Thus she has from the date of them, until very lately, directed them against the American trade even to Russia, although Russia had never adopted the French decrees, nor otherwise violated our neutral trade with Great-Britain. So, in her order of April last, she has discriminated, not only between the countries devoted to France by the ties of blood, and other powers, but between Holland, Westphalia and Naples, in enforcing her prohibitory order against the first, and not against the two last.— Whilst, therefore, she finds it expedient to make these distinctions, she ought to presume that we too may perceive equal propriety in the distinctions we have made.

But it may be of more importance here to compare the British Order in Council of April last, with the arrangement of April, made by Mr. Erskine. It will thence be seen how little is the real difference, and how trivial it is when compared to the extensive and serious consequences of the disavowal.

Under the Order in Council of April, all the ports of Europe, except France, including the Kingdom of Italy and Holland, with their dependencies, are open to our commerce.

Under the arrangement of April, combined with our act of non-intercourse, all the ports of Europe, except France and her dependencies, including the kingdom of Italy, would have been opened to our commerce.

The difference then is reduced merely to Holland, and that again is reduced to the difference between a direct trade to the ports of Holland, and an indirect trade to Holland, through the neighboring ports of Tonnin, Hamburg, Bremen, & Emden.

Now, as the injuring of the enemies of Great-Britain is the only avowed object of her interdicting order against our trade, let a computation be made of the effect, which this difference between the order in council and the arrangement could possibly have in producing such an injury. And then let the question be candidly answered whether, laying aside all considerations of right and justice, sufficient inducements could have been found in that result for rejecting the arrangement, and for producing the consequent embarrassments, as well to Great-Britain, as to the United States.

If it be necessary, as Mr. Jackson, has stated, to set bounds to a spirit of encroachment and universal dominion, which would bind all things to its own standard, and so falsify by honorable and manly resistance an annunciation that all Europe is submitting by degrees, the effort must be feeble indeed, which is to be found in the inconvenience accruing to the formidable foe from the operation of this order in council, and especially when we combine with it the strange phenomenon of substituting for the lawful trade of the United States, a trade of British subjects, contrary to the laws of the adverse party, and amounting, without a special licence in the eye of the British law, to high treason. Thus much for the orders in council. What has taken place with respect to the case of the Chesapeake will equally engage your attention.

You will perceive, that throughout the early stages of the correspondence, this case was in some respects improperly confounded with, in others improperly separated from that of the orders in council; and particularly that pains had been taken by Mr. Jackson to substitute verbal and vague observations on the disavowal of this part of the arrangements for an explicit and formal explanation, such as was obviously due. It will be seen also, that when finally brought to the point, he referred for a