

AMERICAN AFFAIRS.

DOCUMENTS ACCOMPANYING THE MESSAGE OF THE PRESIDENT.

Extract—Mr. Madison to Mr. Pinckney, July 8, 1808.

Your communications by Lieut. Lewis were safely delivered on the evening of the 8th inst.

As it had been calculated that the interval between the return of Mr. Rose, and the departure of Lieut. Lewis, would give sufficient time to the British government to decide on the course required by the posture in which the affair of the Chesapeake was left, its silence to you on that subject could not fail to excite the particular attention of the President; and the appearance is rendered the more unfavorable by the like silence, as we learn from Mr. Erskine, of the dispatches brought to him by the packet which left England and arrived at New-York at nearly the same time with the *Osage*. I have intimated to Mr. Erskine the impressions made by this reserve, without, however, concealing our hope that the delay does not imply a final purpose of withholding reparation, and that the next communications from London will be of a different import. They must at least ascertain the real views of the British government on this interesting subject.

There was certainly no just ground for Mr. Canning to expect any particular communications from you on the arrival of the *Osage*, unless they should have grown out of such accounts from France as would second our demands of justice from Great-Britain, particularly the revocation of her orders in council. And in imparting to him what you did from that quarter, every proof of candor was given which the occasion admitted.

If Mr. Canning was disappointed because he did not receive fresh complaints against the orders in council, he ought to have recollected that you had sufficiently dwelt on their offensive features in the first instance: and that as he had chosen to make the formal communication of them to this government, through another channel, it was through that channel, rather than through you, that answers to it would be most regularly given.

The communications and instructions forwarded by Mr. Purviance, who was a passenger in the *St. Michael*, will enable you to bring the British government to a fair issue on the subject of its orders. If it has nothing more in view than it is willing to avow, it cannot refuse to concur in an arrangement, rescinding on her part the orders in council, and on ours, the embargo. If France should concur in a like arrangement, the state of things will be restored, which is the alleged object of the orders. If France does not concur, the orders will be better enforced by the continuance of the embargo against her, than they are by the British fleets and cruisers; and in the mean time, all the benefits of our trade will be thrown into the lap of Great-Britain. It will be difficult, therefore, to conceive any motive in Great-Britain to reject the offer which you will have made, other than the hope of inducing, on the part of France, a perseverance in her irritating policy towards the United States; and on the part of the latter, hostile resentments against it.

If the British government should have elected the more wise and more worthy course of meeting the overture of the President in the spirit which dictated it, it is to be hoped that measures will have been taken in concert with you, and through its minister here, for halting as much as possible the renewal of the intercourse which the orders and the embargo have suspended; and thereby smoothing the way for other salutary adjustments.

It appears that the British government, not satisfied with the general blockade by her orders of November 11th, has superadded a particular blockade, or rather a diplomatic notification of an intended one, of Copenhagen and the other ports in the Island of Zealand; that is to say, a strict and legal blockade of the whole Island. The Island cannot be much less than two hundred miles in its outline, and is described as abounding in inlets. It is not probable, therefore, if it be possible, that a blockade within the true definition, should be carried into effect. And as all defective blockades, whether so in the disproportion of force to the object, or in mode of notification, will authorize fair claims of indemnifications, it is the more necessary that guarded answers should be given in such cases, as heretofore suggested.

Since the British order of _____ evidently inviting our citizens to violate the laws of their country, by patronizing on the high seas their vessels destitute of registers and other necessary papers, and therefore necessarily smugglers, if not pirates, the circular letter of Mr. Huskisson has made its appearance, in which the United States are named as also within the purview of the order. A more extraordinary experiment is perhaps not to be found in the annals of modern transactions. It is levied moreover against a nation towards which friendship is professed, as well as against a law, the justice and validity of which is not contested, and sets the odious example, in the first of the world, directly in opposition to all the principles which the British government has been proclaiming to it. What becomes of the charge against the United States for receiving British subjects who leave their own country contrary to their allegiance? What would be the charge against them, if they were by proclamation to invite British subjects, those too expressly and particularly prohibited from leaving their country, to elude the prohibition, or to tempt, by interested inducements, a smuggling violation or evasion of laws, on which Great-Britain founds so material a part of her national policy? In the midst of so many more important topics of dissatisfaction, this may not be worth a formal representation. But it will not be amiss to let that government understand the light in which the proceeding is regarded by this. I have already touched on it to Mr. Erskine, with an intimation that I should not omit it in my observations to you.

The French decree said to have been issued at Bayonne, has not yet reached this country. Such a decree, at such a time, has a serious aspect on the relations of the two countries, and will form a heavy item in our demands of redress. It is much to be regretted at the same time, that any of our

vessels, by neglecting to return home, and conforming to the arbitrary regulations of one belligerent, should expose themselves to the arbitrary proceedings of another. So strong and general an indignation seems particularly to prevail here against the Americans in Europe who are trading under British licences, and thereby sacrificing, as far as they can, the independence of their country, as well as frustrating the laws which were intended to guard American vessels and mariners from the dangers incident to foreign commerce, that their continuance in that career ought to be frowned upon, and their return home promoted in every proper manner. It appears by information from our consul at Tangiers, that great numbers of our vessels are engaged in a trade between Great-Britain and the Spanish ports, under licences from the former, and that the experiment proves as unsuccessful as it is dishonorable: the greater part of them being either arrested in port, or by French and Spanish cruisers."

Copies and extracts of letters from Mr. Pinckney to Mr. Madison, with enclosures.

Mr. Pinckney to Mr. Madison.

London, February 23, 1808.

Mr. Canning has just sent me a note of which a copy is enclosed, relative to an intended alteration, upon the subject of cotton, in their bill for carrying into execution the late orders in council. You will perceive that he lays some stress upon the accidental observations, which (as already explained to you in my letter of 20th of last month) were drawn from me some time since upon the singularly offensive project of imposing a transit duty upon our cotton. I mentioned to you in my letter of the 2d inst. that he appeared to misapprehend the tendency of these observations and that in a subsequent conversation he shewed a disposition to remove the obnoxious feature from their plan, for the purpose of substituting an absolute interdiction of the export of that article, under an idea that we should then cease to object to it; but that I thought it my duty to decline to give him any encouragement to do so, although I agreed, as he seemed to wish it, to mention his disposition to you. A few days ago, he sent for me again, and renewed his proposal of an immediate change, with respect to cotton, from a prohibitory duty to a direct prohibition. My answer was the same in substance as it had been before. He then suggested the alternative arrangement, which you will see stated in his note; but, adhering to the determination I had formed upon the first appearance of the orders in council to make no compromise (without precise directions from my government) with the system which they announce, by becoming a party to its details, I received the proposal as I had done the other.

The British government, however, had resolved to adopt the last mentioned plan whether it received my concurrence or not, upon a presumption that it would be more acceptable to us; and perhaps, too, under the idea that it was more defensible than the original scheme: and the purpose of Mr. Canning's note is merely to signify to me, in a manner as friendly and respectful as possible to the United States, their intention to propose it to Parliament. One object of all this is, to conciliate us, although it may be another, to free their system, as far as they can, from the disadvantage of one of the formidable reproaches which their opponents cast upon it. But the wise and magnanimous course would be at once, to tread back their steps, upon the whole of this ill judged measure, instead of relying upon small and unsubstantial modifications, which neither produce an effect upon its character and principle, nor mitigate the severity of its practical consequences. I might, if I thought it advisable, take the occasion, which Mr. Canning's note undoubtedly furnishes, to press upon him once more the policy, as well as the justice of such a course; but I believe it under all circumstances to be more prudent to wait for your instructions, which must, I think, be very soon received.

I have already had the honor to send you two copies of the resolutions, moved in the House of Commons, by the Chancellor of the Exchequer, as tables of export duties, to which their bill should refer. I have enclosed in another letter with which this will be accompanied, a copy of the bill itself, which will, however, undergo several alterations. Those will be found to be explained (as far as I am acquainted with them) in the letter above-mentioned.

I have the honor to be, &c.

(Signed) W. M. PINCKNEY.

Hon. James Madison, Secretary of State.

Mr. Canning to Mr. Pinckney.

Foreign Office, February 22, 1808.

SIR—I have already had the honour of assuring you, in conversation, of the disposition which is felt by the British government to give due weight to the observations which you have made to me respecting the unfavourable impression, likely (in your opinion) to be excited in the United States, by the duty proposed to be levied upon cotton destined for the use of the enemy, but brought into the ports of this country conformably to the tenor of the orders in council of the 11th of November.

You are already apprised that the principle upon which the whole of this measure has been framed, is that of refusing to the enemy those advantages of commerce which he has forbidden to this country.

The simple method of enforcing this system of retaliation, would have been to follow the example of the enemy, by prohibiting altogether all commercial intercourse between him and other states.

It was from considerations of indulgence to neutral trade, that the more mitigated measure of permitting intercourse, under the restraints and regulations of a duty in transitu was adopted; and being adopted with this view, it was not immediately felt by the British government, that there might be a distinction taken by neutral states, with respect to articles, the produce of their own soil; and that while the commutation of prohibition into duty was acknowledged as an indulgence, when applied to articles of foreign commerce, of which they were only the carriers, it might be considered as an invidious imposition, when applied to their own productions.

The moment that this distinction has been explained to the British government they have been desirous of manifesting every attention to it; and if you, Sir, had been possessed of the necessary authority from your government, there would have been no difficulty in entering into a specific agreement with you on the subject. In order, however, to obviate the objection in a great degree, I have the honor to inform you, that it is intended to be proposed to Parliament, that all cotton brought into this country, in conformity to the orders of council, should be absolutely prohibited from being exported to the territories of the enemy. But as you are not prepared to take upon yourself to say, that in no case the option would be acceptable, an option will still be left to the neutral owner, either to acquiesce in the total prohibition, or to re-export the article on the payment of such a duty as parliament may judge it expedient to impose.

I flatter myself, Sir, that this alteration in the legislative regulations by which the orders of council are intended to be carried into execution, will be considered by you as a satisfactory evidence of the disposition of his Majesty's government to consult the feelings as well as the interests of the United States, in any manner which may not impair the effect of that measure of commercial restriction, to which the necessity of repelling the injustice of his enemies has obliged his Majesty reluctantly to have recourse.

I have the honor to be, &c.

(Signed) GEORGE CANNING.

William Pinckney, Esq. &c. &c.

THE ROYAL GAZETTE.

NEW-BRUNSWICK.

SAINT JOHN, December 19, 1808.

Just as our paper was going to Press, we received Rhode-Island papers of the 10th instant, by the Schooner *Phoebe*, Capt. Wright, arrived at Digby; from them the following highly important extracts have been made.

AFFAIRS OF OLD SPAIN, &c.

CUBA. HAVANNA, NOVEMBER 18.

We have advices from Spain to the close of September. No military events of moment had occurred.

The Supreme Central Governative Junta, composed of two deputies from the thirteen provinces of the kingdom, assembled the 25th September, at Aranjuez, [in one of the Royal Palaces, about 20 miles S. of Madrid;] where they had organized, and elected his Excellency Count Florida Blanca, as their first President. The Deputies assembled in the chapel of the Palace, where an oath was administered to each Member, by the Archbishop of Laodicea.

OCTOBER 1.—The Royal Council, the Councils of State, War, the Indies, &c. have all acknowledged and sworn to obey the Central Junta of Government. The provincial juntas are all dissolved. The General Junta have taken active measures to provide for the general defence. They have ordered succours to be sent into Catalonia, which is threatened with fresh forces from France.—They have consulted with the Generals who could be assembled at this Royal residence, with the Deputies from Catalonia, and with the English Commissioners, Lord Berrick and Mr. Stuart, both as to the mode and the amount of these succours. These succours have been promptly afforded from Arragon, Majorca, Murcia, Valencia, Andalusia and Estremadura.

A Military Junta has been appointed, consisting of Generals Castanos, (who has since joined the army,) Don Caltelar, Morla, Sangro, and De Palacios.

Information of the organization of the Central Junta has been notified to all the Foreign Ministers in Madrid, and to all the friendly Courts of Europe.

The Supreme Central Junta has ordered a formal demand to be made of the Emperor of the French of the person of our beloved Sovereign DON FERDINAND VII. and his Royal Family; asserting to Napoleon the enormities he has committed, and declaring War against him in the name of its Sovereign and the Spanish nation.

G. BRITAIN. LONDON, OCTOBER 23.

SPANISH AFFAIRS.

Spanish papers into September, were received yesterday. The Patriots act with the precaution recommended to them by the Supreme Junta of Seville. The French still remained behind the Ebro, and did not give evidence of any disposition to fall on Madrid. The Patriots are assembling on their flanks, and will harass them. Palafox hangs on their left, with about 20,000 excellent troops. Moncey, who commands the rear column of the French, has attempted to bring the hero of Saragossa, to battle.—But, like Fabius, Palafox, as cautious as he is brave, fell back on Saragossa: and thus defeated Moncey's intention.—In the mean time, Gen. Blake, who hovers round the right flank of the French, made a threatening movement, and compelled Moncey to rejoin the main body. Gen. Blake has proceeded towards Biscay and Guipulcoa. From this position he will be enabled to throw detachments between the Pyrenes and Pampaluna, harass the retreat of the French into their own country, or cut off any reinforcements from France. The army of Madrid is opposed to the centre of the French.

OCTOBER 26.—Dispatches were received this morning, by government, announcing the march of Sir John Moore, with 20,000 men, from Portugal for Spain. We shall have early in November, an army of 50,000 men, in Spain. The residue of our troops at Lisbon, will act in the Mediterranean.

SPAIN. CORUNNA, (Gallicia) OCTOBER 6.

The Supreme Junta has published an official letter from General Blake, dated Head Quarters, Quincores, 30th Sept. giving an account that Marshal Ney, had made a feint with the army under his command, with intent to fall on our force in Bilbao, with treble its force; but the Patriot division, under Portago, apprised of the movement, made good its retreat, with its artillery and baggage, to Bal-