

THE WEEKLY REGISTER.

Vol. 1.]

BALTIMORE, SATURDAY, NOVEMBER 9, 1811.

[No. 10.]

"—I wish no other herald,
"No other speaker of my living actions,
"To keep mine honor from corruption
"But such an honest chronicler."

Shakspeare—HENRY VIII.

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Congress of the United States.

IN SENATE.

November 4. 1811.—There were present, at the usual hour of assembling, the vice-president of the United States, Messrs. Gilman, Cutts, Goodrich, Dana, Bradley, J. Smith, German, Condit, Lambert, Gregg, Leib, Horsey, Smith, Reed, Giles, Franklin, Gaillard, Taylor, Crawford, Tait, Pope, Anderson and Worthington.

George M. Bibb, elected from Kentucky, G. W. Campbell, from Tennessee, J. B. Howell, from Rhode Island, and Joseph B. Varnum, from Massachusetts, were also severally sworn in and took their seats.

The usual messages were interchanged with the other house, &c. and the senate adjourned.

November 5.—Mr. Brent attended.

The senate, after transacting some minor business, proceeded to ballot for a door-keeper (who also discharges the duty of sergeant at arms,) in the place of Mr. Mathers, deceased. There were taken 27 votes, of which Mountjoy Bailey had 20, and was accordingly declared elected.

The message from the president was then read, and 300 copies ordered to be printed.

HOUSE OF REPRESENTATIVES.

Monday, November 4.—This being the day designated by the proclamation of the President of the United States, for the meeting of the congress of the United States, about eleven o'clock the house was called to order; when it appeared that there were present one hundred and twenty-eight members.

The house then proceeded to ballot for a speaker. On counting the votes the following appeared to be the result;

Henry Clay, of Kentucky,	75
George W. Bibb, of Georgia,	38
Scattering,	6

So that Mr. Clay was duly chosen, and was conducted to the speaker's chair accordingly; whence he addressed as follows:

GENTLEMEN,—"In coming to this station which you have done me the honor to assign me—an honor for which you will be pleased to accept my thanks—I obey rather your commands than my own inclination. I am sensible of the imperfections which I bring along with me, and a consciousness of these would deter me from attempting a discharge of the duties of the chair, did I not rely confidently upon your generous support. Should the rare and delicate occasion present itself when your speaker should be called upon to check or control the wanderings or intemperance of debate, your justice will, I hope, ascribe to his interposition the motives only of public good and a regard to the dignity of the house. And in all instances, be assured, gentle-

men, that I shall, with infinite pleasure, afford every facility in my power to the dispatch of public business, in the most agreeable manner."

The members were sworn in, in the usual form. The house next proceeded to ballot for a clerk; when on counting the votes there were

For Patrick Magruder	97
William Lambert	16

Thomas Dunn was then re-elected sergeant at arms and Thomas Claxton doorkeeper, without opposition; Benjamin Burch was also re-chosen assistant doorkeeper.

The usual messages were interchanged with the senate on the subject of their being formed and ready to proceed to business.

Mr. Mitchel and Mr. Pitkin were appointed a committee to join with Messrs. Anderson and Bradley, the committee appointed by the senate, to wait on the president and inform him that the houses were formed and ready to receive any communication he might have to make to them.

Mr. Mitchel soon after reported the performance by the committee of the duty assigned them; and that the president had informed them he would make a communication in writing to-morrow at twelve o'clock. And the house adjourned.

Tuesday, November 5.—At 12 o'clock this day the message which follows was received from the president of the United States, by Mr. Edward Coles, his secretary, accompanied by a voluminous collection of documents, in the reading of which the house progressed till half past 3 o'clock, when the house adjourned.

President's Message.

The president communicated to both houses by Mr. Edward Coles, his private secretary, the following Message.

Fellow-citizens of the Senate,

And of the House of Representatives.

In calling you together sooner than a separation from your homes would otherwise have been required, I yielded to considerations drawn from the posture of foreign affairs; and in fixing the present, for the time of your meeting, regard was had to the probability of further developments of the policy of the belligerent powers towards this country, which might the more unite the national councils, in the measures to be pursued.

At the close of the last session of congress, it was hoped that the successive confirmations of the extinction of the French decrees, so far as they violated our neutral commerce, would have induced the government of Great Britain to repeal its orders in council; and thereby authorise the removal of the existing obstructions to her commerce with the United States.

Instead of this reasonable step towards satisfaction and friendship between the two nations, the or-

ders were, at a moment when least to have been expected put into more rigorous execution; and it was communicated through the British envoy just arrived, that whilst the revocation of the edicts of France as officially made known to the British government, was denied to have taken place; it was an indispensable condition of the repeal of the British orders, that commerce should be restored to a footing, that would admit the productions and manufactures of Great Britain, when owned by neutrals, into markets shut against them by her enemy; the United States being given to understand that, in the mean time, a continuance of the non-importation act would lead to measures of retaliation.

At a later date it has indeed appeared, that a communication to the British government, of fresh evidence of the repeal of the French decrees against our neutral trade, was followed by an intimation that it had been transmitted to the British plenipotentiary here; in order that it might receive full consideration in the depending discussions. This communication appears not to have been received: But the transmission of it hitherto, instead of founding on it an actual repeal of the orders, or assurances that the repeal would ensue, will not permit us to rely on any effective change in the British cabinet. To be ready to meet with cordiality satisfactory proofs of such a change, and to proceed, in the meantime, in adapting our measures to the views which have been disclosed through that minister, will best consult our whole duty.

In the unfriendly spirit of these disclosures, in demerit and redress for other wrongs have continued to be withheld, and our coasts and the mouths of our harbours have again witnessed scenes, not less derogatory to the dearest of our national rights, than vexatious to the regular course of our trade.

Among the occurrences produced by the conduct of British ships of war hovering on our coasts, was an encounter between one of them and the American frigate commanded by captain Rodgers, rendered unavoidable, on the part of the latter, by a fire commenced without cause, by the former; whose commander is, therefore, alone chargeable with the blood unfortunately shed in maintaining the honor of the American flag. The proceedings of a court of enquiry, requested by captain Rodgers, are communicated—together with the correspondence relating to the occurrence, between the secretary of state and his Britannic majesty's envoy. To these are added the several correspondences which have passed on the subject of the British orders in council—and to both the correspondence relating to the Florida, in which congress will be made acquainted with the interposition which the government of Great Britain has thought proper to make against the proceedings of the United States.

The justice and fairness which have been evinced on the part of the United States towards France, both before and since the revocation of her decrees, authorised an expectation that her government would have followed up that measure by all such others as were due to our reasonable claims, as well as dictated by its amicable professions. No proof, however, is yet given of an intention to repair the other wrongs done to the United States; and particularly to restore the great amount of American property seized and condemned under edicts, which though not affecting our neutral relations, and therefore not entering into questions between the United States and other belligerents, were nevertheless founded in such unjust principles that the reparation ought to have been prompt and ample.

In addition to this and other demands of strict right, on that nation, the United States have much reason to be dissatisfied with the rigorous and unexpected restrictions, to which their trade with the French dominions has been subjected; and which, if not discontinued, will require at least corresponding restrictions on importations from France into the United States.

On all those subjects our minister plenipotentiary, lately sent to Paris, has carried with him the necessary instructions—the result of which will be communicated to you, and by ascertaining the ulterior policy of the French government towards the United States, will enable you to adopt to it that of the United States, towards France.

Our other foreign relations remain without unfavorable changes. With Russia they are on the best footing of friendship. The ports of Sweden have afforded proofs of friendly dispositions towards our commerce, in the councils of that nation also. And the information from our special minister in Denmark, shews that the mission had been attended with valuable effects to our citizens, whose property had been so extensively violated and endangered by cruisers under the Danish flag.

Under the ominous indications which commanded attention, it became a duty to exert the means committed to the executive department, in providing for the general security. The works of defence on our maritime frontier have accordingly been prosecuted, with an activity leaving little to be added for the completion of the most important ones: and, as particularly suited for co-operation in emergencies, a portion of the gun-boats have in particular harbors, been ordered into use. The ships of war before in commission, with the addition of a frigate, have been chiefly employed as a cruising guard to the rights of our coast. And such a disposition has been made of our land forces as was thought to promise the services most appropriate and important. In this disposition is included a force consisting of regulars and militia, embodied in the Indiana territory, and marched towards our north-western frontier. This measure was made requisite by several murders and depredations committed by the Indians—but more especially by the menacing preparations and aspect of a combination of them on the Wabash under the influence and direction of a fanatic of the Shawanese tribe. With these exceptions the Indian tribes retain their peaceable dispositions toward us, and their usual pursuits.

I must now add that the period is arrived, which claims from the legislative guardians of the national rights a system of more ample provisions for maintaining them. Notwithstanding the scrupulous justice, the protracted moderation, and the multiplied efforts on the part of the United States to substitute for the accumulating dangers to the peace of the two countries, all the mutual advantages of re-established friendship and confidence; we have seen that the British cabinet perseveres, not only in withholding a remedy for other wrongs so long and so loudly calling for it; but in the execution, brought home to the threshold of our territory, of measures which, under existing circumstances, have the character, as well as the effect, of war on our lawful commerce.

With the evidence of hostile inflexibility, in trampling on rights which no independent nation can relinquish;—congress will feel the duty of putting the United States into an armour, and an attitude demanded by the crisis, and corresponding with the national spirit and expectations.

I recommend accordingly, that adequate provision

be made for filling the ranks and prolonging the enlistments of the regular troops; for an auxiliary force to be engaged for a more limited term; for the acceptance of volunteer corps, whose patriotic ardor may court a participation in urgent services; for detachments as they may be wanted, of other portions of the militia; and for such a preparation of the great body, as will proportion its usefulness to its intrinsic capacities. Nor can the occasion fail to remind you of the importance of those military seminaries, which, in every event, will form a valuable and frugal part of our military establishment.

The manufacture of cannon and small arms has proceeded with due success, and the stock and resources of all the necessary munitions are adequate to emergencies. It will not be inexpedient, however, for congress to authorise an enlargement of them.

Your attention will of course be drawn to such provisions, on the subject of our naval force, as may be required for the services to which it may be best adapted. I submit to congress the seasonableness, also, of an authority to augment the stock of such materials, as are imperishable in their nature, or may not at once be attainable.

In contemplating the scenes which distinguish this momentous epoch, and estimating their claims to our attention, it is impossible to overlook those developing themselves among the great communities which occupy the southern portion of our own hemisphere, and extend into our neighborhood. An enlarged philanthropy, and an enlightened forecast concur in imposing on the national councils an obligation to take a deep interest in their destinies; to cherish reciprocal sentiments of good will; to regard the progress of events; and not to be unprepared for whatever order of things may be ultimately established.

Under another aspect of our situation, the early attention of congress will be due to the expediency of further guards against evasions and infractions of our commercial laws. The practice of smuggling, which is odious every where, and particularly criminal in free governments, where the laws being made by all for the good of all, a fraud is committed on every individual as well as on the state, attains its utmost guilt, when it blends with a pursuit of ignominious gain, a treacherous subversivity, in the transgressors, to a foreign policy adverse to that of their own country. It is then that the virtuous indignation of the public should be enabled to manifest itself, though the regular animadversions of the most competent laws.

To secure greater respect to our mercantile flag, and to the honest interest which it covers; it is expedient also, that it be made punishable in our citizens, to accept licences from foreign governments, for a trade unlawfully interdicted by them to other American citizens; or to trade under false colors or papers of any sort.

A prohibition is equally called for against the acceptance, by our citizens, of special licences, to be used in a trade with the United States; and against the admission into particular ports of the United States, of vessels from foreign countries, authorised to trade with particular ports only.

Although other subjects will press more immediately on your deliberations, a portion of them cannot but be well bestowed, on the just and sound policy of securing to our manufacturers the success they have attained, and are still attaining in some degree, under the impulse of causes not permanent; and on our navigation, the fair extent of

which it is at present abridged by the unequal regulations of foreign governments.

Besides the reasonableness of saving our manufactures from sacrifices which a change of circumstances might bring on them, the national interest requires that, as respects such articles at least, as belong to our defence, and our primary wants, we should not be left in unnecessary dependence on external supplies. And whilst foreign governments adhere to the existing discriminations in their ports against our navigation, and an equality or lesser discrimination is enjoyed by their navigation, in our ports, the effect cannot be mistaken, because it has been seriously felt by our shipping interest; and in proportion as this takes place, the advantage of an independent conveyance of our products to foreign markets and of a growing body of mariners, trained by their occupations for the service of their country in times of danger, must be diminished.

The receipts into the treasury, during the year ending on the thirtieth of September last, have exceeded thirteen millions and a half of dollars, and have enabled us to defray the current expenses, including the interest on the public debt, and to reimburse more than five millions of dollars of the principal, without recurring to the loan authorised by the act of last session. The temporary loan obtained in the latter end of the year 1810, has also been reimbursed, and is not included in that amount.

The decrease of revenue, arising from the situation of our commerce and the extraordinary expenses which have and may become necessary, must be taken into view in making commensurate provisions for the ensuing year. And I recommend to your consideration the propriety of ensuring a sufficiency of annual revenue, at least to defray the ordinary expenses of government, and to pay the interest on the public debt, including that on new loans which may be authorised.

I cannot close this communication without expressing my deep sense of the crisis in which you are assembled: my confidence in a wise and honorable result of your deliberations, and assurances of the faithful zeal with which my co operating duties will be discharged; invoking at the same time, the blessings of Heaven on our beloved country, and on all means that may be employed, in vindicating its rights and advancing its welfare.

(Signed) JAMES MADISON.
Washington, Nov. 5, 1811.

Public Documents. ORDERS IN COUNCIL.

MR. FOSTER TO MR. MUNROE.

Washington, July 3, 1811.—Sir, I have had the honor of stating to you verbally, the system of defence to which his majesty has been compelled to resort for the purpose of protecting the maritime rights and interests of his dominions against the new description of warfare that has been adopted by his enemies. I have presented to you the grounds upon which his majesty finds himself still obliged to continue that system, and I conceive that I shall best meet your wishes as expressed to me this morning, if in a more formal shape I should lay before you the whole extent of the question, as it appears to his majesty's government to exist between Great Britain and America.

I beg leave to call your attention, sir, to the principles on which his majesty's orders in council were originally founded. The decree of Berlin was directly and expressly an act of war, by which

France prohibited all nations from trade or intercourse with Great Britain under peril of confiscation of their ships and merchandise; although France had not the means of imposing an actual blockade in any degree adequate to such a purpose. The immediate and professed object of this hostile decree was the destruction of British commerce, through means entirely unsanctioned by the law of nations, and unauthorised by any received doctrine of legitimate blockade.

This violation of the established law of civilized nations in war would have justified Great Britain in retaliating upon the enemy, by a similar interdiction of all commerce with France, and with such other countries as might co-operate with France, in her system of commercial hostility against Great Britain.

The object of Great Britain was not, however, the destruction of trade, but its preservation under such regulations as might be compatible with her own security, at the same time that she extended an indulgence to foreign commerce, which strict principles would have entitled her to withhold. The retaliation of Great Britain was not therefore urged to the full extent of her rights; our prohibition of French trade was not absolute but modified, and in return for the absolute prohibition of all trade with Great Britain, we prohibited not all commerce with France, but all such commerce with France as should not be carried on through Great Britain.

It was evident that this system must prove prejudicial to neutral nations; this calamity was foreseen and deeply regretted. But the injury to the neutral nation arose from the aggression of France, which had compelled Great Britain in her own defence to resort to adequate retaliatory measures of war. The operation on the American commerce of those precautions which the conduct of France had rendered indispensable to our security, is therefore to be ascribed to the unwarrantable aggression of France, and not to those proceedings on the part of Great Britain, which that aggression had rendered necessary and just.

The object of our system was merely to counteract an attempt to crush the British trade: Great Britain endeavored to permit the continent to receive as large a portion of commerce as might be practicable through Great Britain; and all her subsequent regulations, and every modification of her system by new orders or modes of granting or withholding licences, have been calculated for the purpose of encouraging the trade of neutrals through Great Britain, whenever such encouragement might appear advantageous to the general interests of commerce, and consistent with the public safety of the nation.

The justification of his majesty's orders in council, and the continuance of that defence have always been rested upon the existence of the decrees of Berlin and Milan, and on the perseverance of the enemy in the system of hostility which has subverted the rights of neutral commerce on the continent, and it has always been declared on the part of his majesty's government, that whenever France should have effectually repealed the decrees of Berlin and Milan, and should have restored neutral commerce to the condition in which it stood previously to the promulgation of those decrees, we should immediately repeal our orders in council.

France has asserted that the decree of Berlin was a measure of just retaliation on her part, occasioned by our previous aggression, and the French government has insisted that our system of blockade, as it existed previous to the decree of Ber-

lin, was a manifest violation of the received law of nations; we must therefore, sir, refer to the articles of the Berlin decree, to find the principles of our system of blockade which France considers to be new, and contrary to the law of nations.

By the 4th and 8th articles it is stated as a justification of the French decree, that Great Britain "extends to unfortified towns and commercial ports, to harbors, and to the mouths of rivers, those rights of blockade, which by reason and the usage of nations are applicable only to fortified places; and that the rights of blockade ought to be limited to fortresses really invested by a sufficient force."

It is added in the same articles that Great Britain "has declared places to be in a state of blockade, before which she has not a single ship of war, and even places which the whole British force would be insufficient to blockade, entire coasts and a whole empire."

Neither the practice of Great Britain nor the law of nations has ever sanctioned the rule now laid down by France, that no places excepting fortresses in a complete state of investiture can be deemed lawfully blockaded by sea.

If such a rule were to be admitted it would become nearly impracticable for Great Britain to attempt the blockade of any port of the continent, and our submission to this perversion of the law of nations, while it would destroy one of the principal advantages of our naval superiority, would sacrifice the common rights and interests of all maritime states.

It was evident that the blockade of May, 1806, was the principal pretended justification of the decree of Berlin, though neither the principles on which that blockade was founded, nor its practical operation afforded any color to the proceedings of France.

In point of date the blockade of May, 1806, preceded the Berlin decree; but it was a just and legal blockade according to the established law of nations because it was intended to be maintained and was actually maintained in an adequate force appointed to guard the whole coast described in the notification and consequently to enforce the blockade.

Great Britain has never attempted to dispute that in the ordinary course, of the law of nations, no blockade can be justifiable or valid unless it be supported by an adequate force destined to maintain it, and to expose to hazard all vessels attempting to evade its operation. The blockade of May, 1806, was notified by Mr. secretary Fox, on this clear principle, nor was that blockade announced until he had satisfied himself by a communication with his majesty's board of admiralty, that the admiralty possessed the means and would employ them, of watching the whole coast from Brest to the Elbe, and of effectually enforcing the blockade.

The blockade of May, 1806, was therefore (according to the doctrine maintained by Great Britain) just and lawful in its origin, because it was supported both in intention and fact by an adequate naval force. This was the justification of that blockade until the period of time when the orders in council were issued.

The orders in council were founded on a distinct principle, that of defensive retaliation. France had declared a blockade of all the ports and coasts of Great Britain, and her dependencies, without assigning, or being able to assign any force to support that blockade, such act of the enemy would have justified a declaration of the blockade of the whole coast of France, even without the application

of any particular force to that service. Since the promulgation of the orders in council the blockade of May, 1806, has been sustained and extended by the more comprehensive system of defensive retaliation on which those regulations are founded. But if the orders in council should be abrogated, the blockade of May, 1806, could not continue under our construction of the law of nations, unless that blockade should be maintained by a due application of an adequate naval force.

America appears to concur with France in asserting that Great Britain was the original aggressor in the attack on neutral rights, and has particularly objected to the blockade of May, 1806, as an obvious instance of that aggression on the part of Great Britain.

Although the doctrines of the Berlin decree respecting the rights of blockade, are not directly asserted by the American government, Mr. Pinkney's correspondence would appear to countenance the principles on which those doctrines are founded.—The objection directly stated by America against the blockade of May, 1806, rests on a supposition that no naval force which Great Britain possessed, or could have employed for such a purpose, could have rendered that blockade effectual, and that therefore it was necessarily irregular, and could not possibly be maintained in conformity to the law of nations.

Reviewing the course of this statement, it will appear that the blockade of May, 1806, cannot be deemed contrary to the law of nations, either under the objections urged by the French, or under those declared or insinuated by the American government, because that blockade was maintained by a sufficient naval force; that the decree of Berlin was not therefore justified either under the pretexts alleged by France, or under those supported by America, that the orders in council were founded on a just principle of defensive retaliation against the violation of the law of nations committed by France in the decree of Berlin, that the blockade of May, 1806, is now included in the more extensive operation of the orders in council, and lastly that the orders in council will not be continued beyond the effectual duration of the hostile decrees of France, nor will the blockade of May, 1806, continue after the repeal of the orders in council, unless his majesty's government shall think fit to sustain it, by the special application of a sufficient naval force. This fact will not be suffered to remain in doubt, and if the repeal of the orders in council should take place, the intention of his majesty's government respecting the blockade of May, 1806, will be notified at the same time.

I need not recapitulate to you the sentiments of his majesty's government so often repeated on the subject of the French minister's note to gen. Armstrong, dated the 6th of last August. The studied ambiguity of that note has since been amply explained by the conduct and language of the government of France, of which one of the most remarkable instances is to be found in the speech of the chief of the French government on the 17th of last month to certain deputies from the free cities of Hamburg, Bremen and Lubeck, wherein he declares that the Berlin and Milan decrees shall be the public code of France as long as England maintains her orders in council of 1806 and 1807. Thus pronouncing as plainly as language will admit that the system of violence and injustice of which he is the founder, will be maintained by him until the defensive measures of retaliation to which they gave rise on the part of Great Britain shall be abandoned.

If other proofs were necessary to shew the continued existence of those obnoxious decrees, they may be discovered in the imperial edict dated at Fontainebleau in October 19, 1810, that monstrous production of violence, in which they are made the basis of a system of general and unexampled tyranny and oppression over all countries subject to, allied with, or within reach of the power of France; in the report of the French minister for foreign affairs dated last December, and in the letter of the French minister of justice to the president of the council of prizes. To this latter, sir, I would wish particularly to invite your attention; the date is the 25th December, the authority it comes from most unquestionable, and you will there find, sir, the duke of Massa in giving his instructions to the council of prizes in consequence of the president of the United States' proclamation of November 3, most cautiously avoiding to assert that the French decrees were repealed, and ascribing not to such repeal, but to the ambiguous passage which he quotes at length from M. Champagny's letter of August 5, the new attitude taken by America, and you will also find an evidence in the same letter of the continued capture of American ships after November, and under the Berlin and Milan decrees, having been contemplated by the French government, since there is a special direction given for judgment on such ships being suspended in consequence of the American proclamation, and for their being kept as pledges for its enforcement.

Can then, sir, these decrees be said to have been repealed at the period when the proclamation of the president of the United States appeared, or when America enforced her non-importation act against Great Britain? Are they so at this moment? To the first question the state papers which I have referred to, appear to give a sufficient answer. For even supposing that the repeal has since taken place, it is clear that on November the 3d there was no question as to that not being then the case; the capture of the ship *New Orleans Packet* seized at Bordeaux, and of the *Grace-Ann Green*, seized at or carried into Marseilles, being cases arising under the French decrees of Berlin and Milan as is very evident.—Great Britain might therefore complain of being treated with injustice by America, even supposing that the conduct of France had since been unequivocal.

America contends that the French decrees are revoked as it respects her ships upon the high seas, and you, sir, inform me that the only two American ships taken under their maritime operation as you are pleased to term it, since November 1, have been restored; but may not they have been restored in consequence of the satisfaction felt in France at the passing of the non-importation act in the American congress, an event so little to be expected; for otherwise, having been captured in direct contradiction to the supposed revocation, why were they not restored immediately?

The fears of the French navy however prevent many cases of the kind occurring on the ocean under the decrees of Berlin and Milan, but the most obnoxious and destructive parts of those decrees are exercised with full violence not only in the ports of France, but in those of all other countries to which France thinks she can commit injustice with impunity.

Great Britain has a right to complain that neutral nations should overlook the very worst features of those extraordinary acts, and should suffer their trade to be made a medium of an unprecedented, violent, and monstrous system of attack upon her

resources, a species of warfare unattempted by any civilized nation before the present period. Not only has America suffered her trade to be moulded into the means of annoyance to Great Britain under the provisions of the French decrees, but construing those decrees as extinct upon a deceitful declaration of the French cabinet, she has enforced her non-importation act against Great Britain.

Under these circumstances I am instructed by my government to urge to that of the United States, the injustice of thus enforcing that act against his majesty's dominions, and I cannot but hope that a spirit of justice will induce the United States' government to reconsider the line of conduct they have pursued, and at least to re-establish their former state of strict neutrality.

I have only to add, sir, that on my part I shall ever be ready to meet you on any opening which may seem to afford a prospect of restoring complete harmony between the two countries, and that it will at all times give me the greatest satisfaction to treat with you on the important concerns so interesting to both. I have the honor to be, &c.

AUG. J. FOSTER.

To the Hon. James Monroe, &c. &c. &c.

MR. FOSTER TO MR. MONROE.

Washington, July 11, 1811.

SIR,—In consequence of our conversation of yesterday, and the observations which you made respecting that part of my letter to you of the 3d instant, wherein I have alluded to the principle on which his majesty's orders in council were originally founded, I think it right to explain myself in order to prevent any possible mistake as to the present situation of neutral trade with his majesty's enemies.

It will only be necessary for me to repeat what has already, long since, been announced to the American government, namely, that his majesty's orders in council of April 26, 1809, superceded those of November, 1806, and relieved the system of retaliation adopted by his majesty against his enemies from what is considered in this country as the most objectional part of it; the option given to neutrals to trade with the enemies of Great Britain through British ports on payment of a transit duty.

This explanation, sir, will, I trust, be sufficient to do away any impressions that you may have received to the contrary from my observations respecting the effects which his majesty's orders in council originally had on the trade of neutral nations.—Those observations were merely meant as preliminary to a consideration of the question now at issue between the two countries.

I have the honor to be, with the highest consideration and respect, sir, your most obedient humble servant.

AUG. J. FOSTER.

To the hon. James Monroe, &c.

MR. FOSTER TO MR. MONROE.

Washington, July 14, 1811.

SIR,—His majesty's packet boat having been so long detained, and a fortnight having elapsed since my arrival at this capital, his royal highness the prince regent will necessarily expect that I should have to transmit to his royal highness some official communication as to the line of conduct the American government mean to pursue. I trust you will excuse me therefore, sir, if without pressing for a detailed answer to my note of the third instant, I anxiously desire to know from you what is the president's determination with respect to suspend-

ing the operation of the late act of congress prohibiting all importation from the British dominions.

There have been repeated avowals lately made by the government of France, that the decrees of Berlin and Milan were still in full force, and the acts of that government have corresponded with these avowals.

The measures of retaliation pursued by Great Britain against those decrees are consequently to the great regret of his royal highness still necessarily continued.

I have had the honor to state to you the light in which his royal highness, the prince regent, viewed the proclamation of the president of last November, and the surprise with which he learnt the subsequent measures of congress against the British trade.

American ships seized under his majesty's orders in council, even after the proclamation appeared, were not immediately condemned because it was believed that the insidious profession of France might have led the American government and the merchants of America into an erroneous construction of the intention of France.

But when the veil was thrown aside, and the French ruler himself avowed the continued existence of his invariable system, it was not expected by his royal highness that America would have refused to retrace the steps she had taken.

Fresh proofs have since occurred of the resolution of the French government to cast away all consideration of the rights of nations in the unprecedented warfare they have adopted.

America, however, still persists in her injurious measures against the commerce of Great Britain, and his royal highness has in consequence been obliged to look to means of retaliation against those measures which his royal highness cannot but consider as most unjustifiable.

How desirable would it not be, sir, if a stop could be put to any material progress in such a system of retaliation, which, from step to step may lead to the most unfriendly situation between the two countries?

His majesty's government will necessarily be guided in a great degree by the contents of my first dispatches as to the conduct they must adopt towards America.

Allow me then, sir, to repeat my request to learn from you whether I may not convey to his royal highness what I know would be most grateful to his royal highness' feelings, namely the hope that he may be enabled by the speedy return of America from her unfriendly attitude towards Great Britain to forget altogether that he was ever obliged to have any other object in view besides that of endeavoring to promote the best understanding possible between the two countries.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant.

AUG. J. FOSTER.

The honorable James Monroe, &c. &c. &c.

MR. FOSTER TO MR. MONROE.

Washington, July 16, 1811.

SIR,—I have the honor to receive the letter which you addressed to me under yesterday's date requesting an explanation from me, in consequence of my letters of the 3d and 14th instant, of the precise extent in which a repeal of the French decrees is by his majesty's government made a condition of the repeal of the British orders, and particularly whether the condition embraces the seizure of vessels and merchandize entering French ports in contravention of French regulations, as well as the cap-

ture on the high seas, of neutral vessels and their cargoes, on the mere allegation that they are bound to go from British ports, or that they have on board British productions or manufactures; as also, stating that in your view of the French decrees, they comprise regulations essentially different in their principles, some of them violating the neutral rights of the United States, others operating against Great Britain, without any such violation.

You will permit me, sir, for the purpose of answering your questions as clearly and concisely as possible, to bring into view the French decrees themselves, together with the official declaration of the French ministers which accompanied them.

In the body of those decrees, and in the declarations alluded to, you will find, sir, express avowals that the principles on which they were founded, and the provisions contained in them, are wholly new, unprecedented, and in direct contradiction to all ideas of justice and the principles and usages of all civilized nations.

The French government did not pretend to say that any one of the regulations contained in those decrees was a regulation which France has ever been in the previous practice of.

They were consequently to be considered, and were indeed allowed by France herself to be, all of them, parts of a new system of warfare, unauthorized by the established law of nations.

It is in this light in which France herself has placed her decrees, that Great Britain is obliged to consider them.

The submission of neutrals to any regulations made by France, authorised by the laws of nations and practised in former wars, will never be complained of by Great Britain; but the regulations of the Berlin and Milan decrees do, and are declared to violate the laws of nations and the rights of neutrals, for the purpose of attacking through them the resources of Great Britain. The ruler of France has drawn no distinction between any of them, nor has he declared the cessation of any one of them in the speech which he so lately addressed to the deputation from the free imperial Hanse Towns, which was on the contrary a confirmation of them all.

Not until the French decrees therefore shall be effectually repealed, and thereby neutral commerce be restored to the situation in which it stood previously to their promulgation, can his royal highness conceive himself justified, consistently with what he owes to the safety and honor of Great Britain, in foregoing the just measures of retaliation which his majesty in his defence was necessitated to adopt against them.

I trust, sir, that this explanation in answer to your enquiries will be considered by you sufficiently satisfactory; should you require any further, and which it may be in my power to give, I shall with the greatest cheerfulness afford it.

I sincerely hope, however, that no further delay will be thought necessary by the president in restoring the relations of amity which should ever subsist between the United States and Great Britain, as the delusions attempted by the government of France have now been made manifest, and the perfidious plans of its ruler exposed; by which, while he adds to and aggravates his system of violence against neutral trade, he endeavors to throw all the odium of his acts upon Great Britain with a view to engender discord between the neutral countries, and the only power which stands up as a bulwark against his efforts at universal tyranny and oppression.

Excuse me, sir, if I express my wish as early as possible to dispatch his majesty's packet boat with the result of our communications; as his majesty's government will necessarily be most anxious to hear from me. Any short period of time, however, which may appear to you to be reasonable, I will not hesitate to detain her.

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

AUG. J. FOSTER.

To the honorable James Monroe, &c. &c. &c.

MR. MONROE TO MR. FOSTER.

Department of State, July 23, 1811.

SIR,—I have transmitted to the president your several letters to the 3d and 16th of this month relative to the British orders in council and the blockade of May, 1806, and I have now the honor to communicate to you his sentiments on the view which you have presented of those measures of your government.

It was hoped that your communication would have led to an immediate accommodation of the differences subsisting between our countries, on the ground, on which alone it is possible to meet you. It is regretted that you have confined yourself to a vindication of the measures which produce some of them.

The United States are as little disposed now as heretofore to enter into the question concerning the priority of aggression by the two belligerents, which could not be justified by either, by the priority of those of the other. But as you bring forward that plea in support of the orders in council, I must be permitted to remark that you have yourself furnished a conclusive answer to it, by admitting that the blockade of May, 1806, which was prior to the first of the French decrees, would not be legal, unless supported through the whole extent of the coast, from the Elbe to Brest, by an adequate naval force. That such a naval force was actually applied and continued in the requisite strictness until that blockade was comprised in and superseded by the orders of November of the following year, or even until the French decree of the same year, will not I presume be alleged.

But waving this question of priority, can it be seen without both surprise and regret, that it is still contended, that the orders in council are justified by the principle of retaliation, and that this principle is strengthened by the inability of France to enforce her decrees. A retaliation is in its name, and its essential character, a returning like for like. Is the deadly blow of the orders in council against one half of our commerce, a return of like for like to an empty threat in the French decrees, against the other half? It may be a vindictive hostility, as far as its effects fall on the enemy. But when falling on a neutral who on no pretext can be liable for more than the measure of injury received through such neutral it would not be a retaliation; but a positive wrong, by the plea on which it is founded.

It is to be further remarked that the orders in council went even beyond the plea, such as this has appeared to be, in extending its operation against the trade of the United States, with nations which, like Russia, had not adopted the French decrees, and with all nations which had merely excluded the British flag; an extension resulting as matter of course with respect to whatever nation Great Britain might happen to be at war.

I am far from viewing the modification originally contained in these orders, which permits neutrals to

prosecute their trade with the continent, through Great Britain, in the favorable light in which you represent it. It is impossible to proceed to notice the effect of this modification without expressing our astonishment at the extravagance of the political pretension set up by it: a pretension which is utterly incompatible with the sovereignty and independence of other states. In a commercial view it is not less objectionable as it cannot fail to prove destructive to neutral commerce. As an enemy, Great Britain cannot trade with France. Nor does France permit a neutral to come into her ports from Great Britain. The attempt of Great Britain to force our trade through her ports, would have therefore the commercial effect of depriving the United States altogether of the market of her enemy for their productions, and of destroying their value in her market by a surcharge of it. Heretofore it has been the usage of belligerent nations to carry on their trade through the intervention of neutrals; and this had the beneficial effect of extending to the former the advantages of peace, while suffering under the calamities of war. To reverse the rule, and to extend to nations at peace the calamities of war, is a change as novel and extraordinary as it is at variance with justice and public law.

Against this unjust system, the United States entered, at an early period, their solemn protest.—They considered it their duty to evince to the world their high disapprobation of it, and they have done so by such acts as were deemed most consistent with the rights and the policy of the nation. Remote from the contentious scene which desolates Europe, it has been their uniform object to avoid becoming a party to the war. With this view they have endeavored to cultivate friendship with both parties by a system of conduct which ought to have produced that effect. They have done justice to each party in every transaction in which they have been separately engaged with it. They have observed the impartiality which was due to both as belligerents standing on equal ground, having in no instance given a preference to either at the expense of the other. They have borne too with equal indulgence injuries from both, being willing while it was possible to impute them to casualties inseparable from a cause of war, and not to a deliberate intention to violate their rights, and even when the intention could not be mistaken, they have not lost sight of the ultimate object of their policy. In the measures to which they have been compelled to resort, they have in all respects maintained pacific relations with both parties. The alternative presented by their late acts, was offered equally to both, and could operate on neither, no longer than it should persevere in its aggressions on our neutral rights. The embargo and non-intercourse, were peaceful measures. The regulations which they imposed on our trade were such as any nation might adopt in peace or war, without offence to any other nation. The non-importation is of the same character, and if it makes a distinction at this time, in its operation between the belligerents, it necessarily results from a compliance of one with the offer made to both, and which is still open to the compliance of the other.

In the discussions which have taken place on the subject of the orders in council and blockade of May 1806, the British government in conformity to the principle on which the orders in council are said to be founded, declared that they should cease to operate as soon as France revoked her edicts. It was stated also, that the British government would proceed *pari passu*, with the government of France, in

the revocation of her edicts. I will proceed to shew that the obligation on Great Britain to revoke her orders is complete, according to her own engagements, and that the revocation ought not to be longer delayed.

By the act of May 1st, 1810, it is provided, "that if either Great Britain or France should cease to violate the neutral commerce of the United States, which fact the president should declare by proclamation, and the other party should not within three months thereafter revoke or modify its edicts in like manner, that then certain sections in a former act interdicting the commercial intercourse between the United States and Great Britain and France and their dependencies, should from and after the expiration of three months from the date of the proclamation, be revived and have full force against the former, its colonies and dependencies, and against all articles the growth, produce or manufacture of the same.

The violations of neutral commerce alluded to in this act were such as were committed on the high seas. It was in the trade between the United States and the British dominions, that France had violated the neutral rights of the United States by her blockading edicts. It was with the trade of France and her allies that Great Britain had committed similar violations by similar edicts. It was the revocation of those edicts, so far as they committed such violations, which the United States had in view, when they passed their law of May 1st, 1810. On the 5th August, 1810, the French minister of foreign affairs addressed a note to the minister plenipotentiary of the United States at Paris, informing him that the decrees of Berlin and Milan were revoked, the revocation to take effect on the first of November following: that the measure had been taken by his government in confidence that the British government would revoke its orders and renounce its new principles of blockade, or that the United States would cause their rights to be respected, conformably to the act of May 1st, 1810.

This measure of the French government was founded on the law of May 1st, 1810, as is expressly declared in the letter of the duke of Cadore announcing it. The edicts of Great Britain, the revocation of which were expected by France, were those alluded to in that act: and the means by which the United States should cause their rights to be respected, in case Great Britain should not revoke her edicts, were likewise to be found in the same act. They consisted merely in the enforcement of the non-importation act against Great Britain, in the unexpected and probable contingency.

The letter of the 5th of August, which announced the revocation of the French decrees was communicated to this government, in consequence of which the president issued a proclamation on the 2nd of November, the day after that on which the repeal of the French decrees was to take effect, in which he declared, that all the restrictions imposed by the act of May 1st, 1810, should cease and be discontinued in relation to France and her dependencies. It was a necessary consequence of this proclamation, also, that if Great Britain did not revoke her edicts, the non-importation would operate on her at the end of three months. This actually took place. She declined the revocation, and on the 2d of February last, the law took effect. In confirmation of the proclamation an act of congress was passed on the 3d of March following.

Great Britain still declines to revoke her edicts on the pretension that France has not revoked hers

Under that impression she infers that the United States have done her injustice by carrying into effect the non-importation against her.

The United States maintain that France has revoked her edicts so far as they violated their neutral rights and were contemplated by the law of May 1st, 1810, and have on that ground particularly claimed, and do expect of Great Britain a similar revocation.

The revocation announced officially by the French minister of foreign affairs to the minister plenipotentiary of the United States at Paris, on the 5th of August, 1810, was in itself sufficient to justify the claim of the United States to a correspondent measure from Great Britain. She had declared that she would proceed *pari passu* in the repeal with France, and the day being fixed when the repeal of the French decrees should take effect, it was reasonable to conclude that Great Britain would fix the same day for the repeal of her orders. Had this been done the proclamation of the president would have announced the revocation of the edicts of both powers at the same time, and in consequence thereof the non-importation would have gone into operation against neither. Such too is the natural course of proceeding in transactions between independent states; and such the conduct which they generally observe towards each other. In all compacts between nations it is the duty of each to perform what it stipulates, and to presume on the good faith of the other, for a like performance. The United States having made a proposal to both belligerents were bound to accept a compliance from either, and it was no objection to the French compliance, that it was in a form to take effect at a future day, that being a form not unusual in laws and other public acts. Even when nations are at war and make peace, this obligation of mutual confidence exists and is respected. In treaties of commerce, by which their future intercourse is to be governed, the obligation is the same. If distrust and jealousy are allowed to prevail, the moral tie which binds nations together in all their relations, in war as well as in peace, is broken.

What would Great Britain have hazarded by a prompt compliance in the manner suggested? She had declared that she had adopted the restraints imposed by her orders in council with reluctance, because of their distressing effect on neutral powers. Here then was a favorable opportunity presented to her, to withdraw from that measure with honor, be the conduct of France afterwards what it might. Had Great Britain revoked her orders, and France failed to fulfil her engagement, she would have gained credit at the expense of France, and could have sustained no injury by it, because the failure of France to maintain her faith would have replaced Great Britain at the point from which she had departed. To say that a disappointed reliance on the good faith of her enemy would have reproached her foresight, would be to set a higher value on that quality than on consistency and good faith, and would sacrifice to a mere suspicion towards an enemy the plain obligations of justice towards a friendly power.

Great Britain has declined proceeding *pari passu* with France in the revocation of their respective edicts. She has held aloof the claims of the United States' proof not only that France has revoked her decrees, but that she continues to act in conformity with the revocation.

To show that the repeal is respected it is deemed sufficient to state that not one vessel has been condemned by French tribunals, on the principles of

these decrees, since the 1st of November last. The New-Orleans Packet from Gibraltar to Bordeaux was detained but never condemned. The Grace Ann Green, from the same British port to Marseilles, was likewise detained but was afterwards delivered up unconditionally to the owner, as was such part of the cargo of the New-Orleans Packet as consisted of the produce of the United States. Both these vessels proceeding from a British port, carried cargoes, some articles of which in each, were prohibited by the laws of France, or admissible by the sanction of the government alone. It does not appear that their detention was imputable to any other cause. If imputable to the circumstance of passing from a British to a French port, or on account of any part of their cargoes, it affords no cause of complaint to Great Britain, as a violation, of our neutral rights. No such cause would be afforded, even in a case of condemnation. The right of complaint, would have belonged to the United States.

In denying the revocation of the decrees, so far as it is a proper subject of discussion between us, it might reasonably be expected that you would produce some examples of vessels taken at sea, in voyages to British ports, or on their return home, and condemned under them by a French tribunal. None such has been afforded by you. None such are known to this government.

You urge only as an evidence that the decrees are not repealed, the speech of the emperor of France to the deputies from the free cities of Hamburg, Bremen and Lubeck; the imperial edict dated at Fontainebleau on the 19th October, 1810; the report of the French minister of foreign affairs dated in December last, and a letter of the minister of justice to the president of the council of prizes of the 25th of that month.

There is nothing in the first of these papers incompatible with the revocation of the decrees, in respect to the United States. It is distinctly declared by the emperor in his speech to the deputies of the Hanse Towns, that the blockade of the British islands shall cease when the British blockades cease; and that the French blockade shall cease in favor of those nations in whose favor Great Britain revokes hers, or who support their rights against her pretension, as France admits the United States will do by enforcing the non-importation act. The same sentiment is expressed in the report of the minister of foreign affairs. The decree of Fontainebleau having no effect on the high seas, cannot be brought into this discussion. It evidently has no connection with neutral rights. The letter from the minister of justice to the president of the council of prizes, is of a different character. It relates in direct terms to this subject, but not in the sense in which you understand it. After reciting the note from the duke of Cadore of the 5th of August last, to the American minister at Paris, which announced the repeal of the French decrees, and the proclamation of the president in consequence of it, it states, that all causes arising under those decrees after the 1st of November, which were then before the court, or might afterwards be brought before it, should not be judged by the principles of the decrees, but be suspended until the 2nd of February, when the United States having fulfilled their engagement, the captures should be declared void, and the vessels and their cargoes delivered up to their owners. This paper appears to afford an unequivocal evidence of the revocation of the decrees, so far as relates to the United States. By instructing the French tribunal to make no decision till the 2d of February, and then

to restore the property to the owners, on a particular event which has happened, all cause of doubt on that point seems to be removed. The United States may justly complain of delaying the restitution of the property, but that is an injury which affects them only. Great Britain has no right to complain of it. She was interested only in the revocation of the decrees by which neutral rights would be secured from future violation; or if she had been interested in the delay it would have afforded no pretext for more than a delay in repealing her orders, till the 2d of February. From that day at farthest the French decrees would cease. At the same day ought her orders to have ceased. I might add to this statement, that every communication received from the French government, either through our representatives there, or its representatives here, are in accord with the actual repeal of the Berlin and Milan decrees, in relation to the neutral commerce of the United States. But it will suffice to remark that the best, and only, adequate evidence of their ceasing to operate, is the defect of evidence that they do operate. It is a case where the want of proof against the fulfilment of a pledge is proof of its fulfilment. Every case occurring, to which, if the decrees were in force, they would be applied, and to which they are not applied, is a proof that they are not in force. And if these proofs have not been more multiplied, I need not remind you that a cause is to be found in the numerous captures under your orders in council, which continue to evince the rigor with which they are enforced, after a failure of the basis on which they were supposed to rest.

But Great Britain contends, as appear by your last letters, that she ought not to revoke her orders in council, until the commerce of the continent is restored to the state in which it stood before the Berlin and Milan decrees were issued; until the French decrees are repealed not only as to the United States, but so as to permit Great Britain to trade with the continent. Is it then meant that Great Britain should be allowed to trade with all the powers with whom she traded at that epoch? Since that time France has extended her conquests to the north and raised enemies against Great Britain, where she then had friends. Is it proposed to trade with them notwithstanding the change in their situation? Between the enemies of one date and those of another, no discrimination can be made. There is none in reason nor can there be any, of right, in practice. Or do you maintain the general principle and contend that Great Britain ought to trade with France and her allies? Between enemies there can be no commerce. The vessels of either taken by the other are liable to confiscation and are always confiscated. The number of enemies or extent of country which they occupy, cannot effect the question. The laws of war govern the relation which subsists between them, which especially in the circumstances under consideration are invariable. They were the same in times the most remote that they now are. Even if peace had taken place between Great Britain and the powers of the continent, she could not trade with them without their consent. Or does Great Britain contend, that the United States as a neutral power, ought to open the continent to her commerce, on such terms as she may designate? On what principle can she set up such a claim? No example of it can be found in the history of past wars, nor is it founded in any recognized principle of war, or in any semblance of reason or right. The United States could not maintain such a claim in their own favor though

neutral. When advanced in favor of an enemy, it would be the most preposterous and extravagant claim ever heard of. Every power when not restrained by treaty, has a right to regulate its trade with other nations, in such manner as it finds most consistent with its interests; to admit, and on its own conditions, or to prohibit the importation of such articles as are necessary to supply the wants, or encourage the industry of its people. In what light would Great Britain view an application from the United States for the repeal of right of any act of her parliament, which prohibited the importation of any article from the United States, such as their fish or their oil? Or which claimed the diminution of the duty on any other, such as their tobacco, on which so great a revenue is raised? In what light would she view a similar application made at the instance of France, for the importation into England, of any article the growth or manufacture of that power which it was the policy of the British government to prohibit.

If delays have taken place in the restitution of American property, and in placing the American commerce in the ports of France on a fair and satisfactory basis, they involve questions, as has already been observed, in which the United States alone are interested. As they do not violate the revocation by France, of her edicts, they cannot impair the obligation of Great Britain to revoke hers; nor change the epoch at which the revocation ought to have taken place. Had that been duly followed, it is more than probable that those circumstances, irrelative as they are, which have excited doubt in the British government of the practical revocation of the French decrees, might not have occurred.

Every view which can be taken of this subject increases the painful surprise at the innovations on all the principles and usages heretofore observed, which are so unreservedly contended for, in your letters of the 3d and 16th inst. and which, if persisted in by your government, present such an obstacle to the wishes of the United States, for a removal of the difficulties which have been connected with the orders in council. It is the interest of belligerents to mitigate the calamities of war, and neutral powers possess ample means to promote that object, provided they sustain with impartiality and firmness, the dignity of their station. If belligerents expect advantages from neutrals, they should leave them in the full enjoyment of their rights. The present war has been oppressive beyond example, by its duration, and by the desolation it has spread throughout Europe. It is highly important that it should assume, at least, a milder character. By the revocation of the French edicts, so far as they respected the neutral commerce of the United States, some advance is made towards that desirable and consoling result. Let Great Britain follow the example. The ground thus gained will soon be enlarged by the concurring and pressing interests of all parties, and whatever is gained, will accrue to the advantage of afflicted humanity.

I proceed to notice another part of your letter of the 3d inst. which is viewed in a more favorable light. The president has received with great satisfaction the communication, that should the orders in council of 1807, be revoked, the blockade of May of the preceding year, would cease with them, and that any blockade which should afterwards be instituted, should be duly notified and maintained by an adequate force. This frank and explicit declaration, worthy of the prompt and amicable measure adopted by the prince regent in coming into pow

er, seems to remove a material obstacle to an accommodation of differences between our countries, and when followed by the revocation of the orders in council, will, as I am authorized to inform you, produce an immediate termination of the non-importation law, by an exercise of the power vested in the president for that purpose.

I conclude with remarking that if I have confined this letter to the subjects brought into view by yours, it is not because the United States have lost sight in any degree, of the other very serious causes of complaint, on which they have received no satisfaction, but because the conciliatory policy of this government has thus far separated the case of the orders in council from others, and because with respect to these others, your communication has not afforded any reasonable prospect of resuming them, at this time, with success.—It is presumed that the same liberal view of the true interest of Great Britain, and friendly disposition towards the United States, which induced the prince regent to remove so material a difficulty as had arisen in relation to a repeal of the orders in council, will lead to a more favorable further consideration of the remaining difficulties on that subject, and that the advantages of an amicable adjustment of every question, depending between the two countries, will be seen by your government, in the same light, as they are, by that of the United States.

I have the honor to be, &c.

(Signed) JAMES MONROE.

[TO BE CONTINUED.]

Statistical notices of Russia.

The Russian empire contains a greater extent of country than ever before was governed by an individual.* It reaches from the gulf of Bothnia, on the west, to the sea of Kamtschatka, in the east; and, in some places, from the 45th to the 72nd deg. of north latitude; computed to have a surface of 4,900,000 square miles, and to contain between 45 and 50 millions of people.

The greatest extent of territory is in Asia. Russia, in Europe, has about 1,400,000 square miles, and 41,300,000 inhabitants, or 35 to a square mile—the empire averages between nine and ten.

The enumeration of 1783 was taken with great accuracy; it appeared there were then, in the 41 governments of Russia, 12,838,529 male persons—

Supposing an equal number of females, the amount will be	25,677,800
Add for the Cossacks and other unnumbered tribes	1,720,000

Whole population in 1783	27,397,800
New acquisitions since 1782, including Finland, lately wrested from Sweden	6,355,000

Natural increase since 1783—say one half of the original number in that year, allowing the population to double itself in 56 years without regarding the geometrical proportion on which population advances	13,695,500
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Whole population in 1811	47,440,000
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Of which we allow only five millions and a half to Russia, in Asia. This estimate raises the population nearly 10 millions more than is generally admitted in our geographical treatises; but is founded,

* The Persian and Roman empires, at their utmost height, contained about 1,700,000 square miles.

we apprehend, upon pretty correct principles. In 1803 there were married in the empire 302,467 couples. Died, 791,979. Born, 1,279,321—multiply the latter by 33 years, which is sometimes considered as a generation, and we have a grand total of 42,217,593. In this statement nothing is exaggerated, but much must have been omitted; for from the wild nations inhabiting Russian Asia, the receipt of correct returns could not be expected. Besides, when we call to mind the immense improvements that have latterly been made in this country; examine its roads and canals, and the various excitements held out to industry, in the general amelioration of the condition of the people (though yet extremely wretched) and view the exertions made to encourage agriculture and commerce, we are inclined to believe we are still below the real amount of the population of the empire, which is certainly increasing.

Though the population of Russia is greater than that of France, the physical force of the empire is much less; owing to the scattered situation of the people, and the moral impossibility of concentrating their force at any given point. France, it is said, can spare a million of men for her armies, and sometimes has sent 600,000 troops out of her territory, to carry war into the countries of her neighbors. Russia, by the most powerful and arbitrary exertions, more cruel, perhaps, than the French conscription itself, has never been able to muster half of this force for that purpose. Her army is said to consist of about 600,000 men of whom 500,000 are effectives.

The last return we have seen of the Russian navy, rendezvousing chiefly at Cronstadt, Revel and Archangel, gave 8 ships of 110 guns; 42 of 74 and 66; 27 frigates of 38, 32 and 28; 50 galleys; 300 gun boats, and about 30 smaller armed vessels. Besides these, the fleet in the *Black Sea* was said to consist of 18 ships of the line, and about 30 frigates, corvettes, &c. 20,000 sailors were then kept in the pay of the government.

The revenue of Russia, arising from capitation taxes, customs, monopolies, &c. amount to about \$60,000,000 *per annum*—a very moderate sum considering the population and resources of the country, but a mighty amount when the high value of money, or cheapness of labor, is duly estimated. It is sufficient for all the expences of government, though the court is among the most luxurious and profligate in the world.

Gold and silver mines have been worked in Russia for many years. The whole produce, for about 100 years past, is estimated at 42,675lbs of the former, and 1,564,750lbs of the latter.

The whole annual produce of the copper mines is computed to be 7,350,000 lbs. The greatest expectation of iron was 3,363,249 poods, valued at \$5,204,125—of this value there was exported from *Petersburg* more than four millions and a half.

The timber and boards exported have been valued at \$1,500,000 *per annum*.

Hemp, exported, (1793) 2,574,728 poods, worth \$5,066,615. Flax, 1,146,125 poods, valued at \$4,104,100, with great quantities of hemp seed and flax-seed, and nearly two millions of gallons of hemp-seed oil. The value of the flax exported amounted (in 1802) to nearly six millions of dollars.

Russia manufactures an immense quantity of sail cloth and linen. In 1802 the export was estimated at \$3,537,853.

In 1803 there was exported from the ports on the Baltic and Archangel, 34,500 tons of tallow—worth

more than nine millions and a half of dollars. The further produce of neat cattle, (exported) the same year was estimated at \$3,115,571.

Wheat, rye, barley and oats, the same year, worth \$11,496,215.

The balance of trade in favor of Russia is said to amount to \$5,000,000 per ann.

Accounts in Russia are kept in Rubles and Copecks.—100 of the latter make one of the former, worth an American dollar. When we hear of *rubles* and *copecks* we understand precisely so many *dollars* and *cents*, for the value is exactly the same.

WEIGHTS.—96 solotniks make a Russian lb.—40lbs (which make a *pod*) are equal to 35 3/4 American lbs. 10 pounds make a *berquet*—6 berquets a *lot*. A berquet of 10 pounds is equal to 556 1/2 lbs. American.

MEASURES.—Liquid, 3 *Krushkas* are equal to 1 American gallon—8 *krushkas* make 1 *vedro*.

Dry.—A *Chetwrick* is equal to 5 1/4 American bushels.

Length.—The *Arsheen* contains 28 American inches. The *Sashen* is 3 Arsheens. The *verst* or Russian mile is equal to 1500 Arsheens, or 1166 2/3 yards—a mile more than 5 1/2 of the English or American mile. 12 feet Russian are equal to 11 English.

(TO BE CONTINUED.)

American Manufactures.

Extract from Cobbett's Essay on the English Regency, and the difficulties of the ministry.

I, for my own part, do not hold, that foreign trade is at all necessary to the maintenance of the independence and the greatness of England. I am quite convinced, that it is not necessary. But it makes part of the present system; and, at any rate a great diminution of it must produce a shock; it must, as to certain parts of the kingdom, produce very serious embarrassments; and it must affect the revenue and the means of propping up the paper money.

It is quite useless to laugh at the idea of Napoleon's banishing all our trade from the continent of Europe; for, it is plain that he will do it. He has already reduced it to a mere smuggling trade. He has so loaded it with embarrassments and penalties, that it cannot be carried on but with a *loss* to us.

Manufacturing establishments will grow up on the continent, whither English manufactures will go, in swarms, as they are now going from Ireland to America. It is preposterous to suppose that in the countries, whence we draw our raw materials, the same goods cannot be made as we make in England. Is it not absurd to believe, that, while all the wool that we make into superfine cloth, comes from Spain and Germany, superfine cloth cannot be made in those countries?

See what has been, only by the short operation of the embargo and non-intercourse act, done in America. To such an extent have the cloth and the cotton manufactures grown up there, that I have been credibly informed, that during last year, the cards for carding wool and cotton shipped for America from the port of Liverpool, have exceeded in amount the cloths shipped at the same port, from the counties of Somerset and Gloucester.

I always thought, that the United States could not produce wool in sufficient quantity, on account of the long winters, which prevented the keeping of sheep. This was a wrong notion, grounded upon the universal mode in practice in England, of keeping sheep upon green food in winter. I now find,

that, in Germany, whence comes the finest wool in the world, and where is (in Silesia) the very finest flock of sheep in the whole world, all the sheep are kept in yards during six months in the year, and no small part of the time actually in houses.—These are facts not to be doubted of. The food of the sheep, during the long winter, consists of hay, straw and roots, chiefly potatoes; and this being the case, America may have sheep in as great abundance as they are in England.

Indeed I understand that very great progress has been already made in the increase of sheep in America which has received much assistance from the breaking up of the Spanish flocks, of which America has had a share.

So great is the spirit of enterprise in this way, that a very intimate friend of mine, near Philadelphia, wrote to me, in July last, that the price of a Spanish ram there was, in some cases, a thousand dollars; that is to say, 225 pounds of our bank of England note money. But, there have been great numbers sent to America since that time, from Spain and Portugal; and which is not a little curious, many thousand, which I, at one time, notified that I expected to receive in Hampshire, are, I have reason to suppose, and for the sake of the worthy owner, I anxiously hope it, now safely landed in the United States! His wish, they being the finest flock in Spain, was to bring them to England, where his intention was to have made a most liberal and public spirited distribution of them; but, as I understand, he was refused leave to send them home in empty transports, and was, therefore, compelled either to leave them for the French, or ship them off to the United States, and of course, he chose the latter; and thus, perhaps, by this single act, the epoch of the final and complete independence of America upon England for woollens will be accelerated by several years; and with regard to the fineness of wool, that country will be at once, put upon an equal footing with this.

There would be no excuse for a detail like this, were I not thoroughly persuaded, that we have here before us the seeds of a great event: nothing less than the complete & absolute independence of America upon English manufactures. Cotton she had to export; iron she had to export; and she had every thing but wool, and now she has that with an abundance of food for all sorts of manufactures; so that in a very short time, so far will she be from wanting woollens from England, that she will have them to export; and that the manufacturers will follow the manufactory, there can be no doubt at all.

Now, observe, I draw from this, no conclusion unfavorable to the happiness or the security or the greatness of England, none of which are at all favored by the country's being a work shop for other nations. I am satisfied that foreign trade is injurious to England; and that it has been one of the great causes of the danger she now has to dread. But as I said before, foreign trade is a part of the present system of finance, and its sudden decline must add to the difficulties that the government will have to encounter.

The regent's minister therefore, will not, in this respect, be upon "a bed of roses," any more than as to matters connected with war and paper money. They will, in short, be beset with difficulties. Look which way they will these difficulties face them, not in single rank, but in column. And do they imagine that they are destined to subdue all these without the cordial co-operation of the people? If they do they will find themselves most egregiously deceived.

Population of London.

FROM A LONDON PAPER.

The census for the city being now arranged, we have subjoined a general view of the return for Westminster and the respective districts. The returns of the same districts in the year 1801 are added, and the increase in the population more minutely stated, while the relative numbers of males and females are also given. The disproportion of females to males is equally general throughout the kingdom; notwithstanding, from the registry of births within the bills of mortality, it is calculated, that to 105 males, there are less than 100 females born. The parishes conspicuous for an accession of inhabitants are also noticed. Sir William Petty, in 1682, expected London would go on increasing till the year 1800, at which time he thought the population would amount to five millions! Dr. Bracknridge, in 1754, calculated the population of London at 751,812, which was probably an over estimate at that time.

		Males.	Females.	Total.
London (city)	1811	57,062	59,693	116,755
	1801	51,530	57,513	109,043
Westminster (city)	1811	71,530	87,513	162,077
	1801	70,986	82,286	153,272
Increase		3,544	5,227	8,805
The borough	1811	28,579	32,590	61,169
	1801	26,761	29,924	56,685
Increase		1,818	2,666	4,484
Holborn district	1811	96,264	127,815	224,079
	1801	79,035	101,787	180,822
Increase		17,229	26,028	44,257
Finsbury district	1811	44,262	52,383	96,645
	1801	33,585	39,685	73,265
Increase		10,677	12,700	23,377
Tower division	1811	86,748	125,121	211,869
	1801	77,366	95,619	172,985
Increase		9,382	29,502	38,884
Surrey ditto	1811	64,219	81,316	145,535
	1801	47,199	59,831	107,030
Increase		17,020	21,485	38,505
Middlesex ditto	1811	34,177	46,770	80,947
	1801	27,364	35,191	62,555
Increase		6,813	11,579	18,392

The population of London, Westminster, and the above districts, by the present census, appears—
males 482,781, females 516,323: total 1,000,104
Increase in ten years 133,139

The statement for the city of London includes the whole of the 105 parishes within the boundaries.

The population of the city has not increased within the last ten years, because its limits are fixed and a greater number of houses are yearly converted into warehouses, &c.

In the estimate for the Surrey district, twelve parishes are included, viz. Christchurch, Lambeth, Newington, Cumberwell, Putney, Clapham, Wand-

worth, Rotherhithe, Streatham, Battersea, Bermondsey, and Richmond.

The Middlesex parishes are Kensington, Chelsea, Fulham, Hammersmith, Chiswick, Ealing, Edmonton, Tottenham, Enfield, Harrow, Twickenham, Slimes, and Uxbridge.

The influx of inhabitants since 1801 appears very conspicuous in the undermentioned parishes.

	Increase.
St. Giles and St. Andrews', Holborn	13,948
St. Marylebone	11,660
St. George's and Pancras	20,680
Hackney and Bethnal Green	15,340
Clerkenwell and Islington	11,994
Lambeth and Newington	22,711
Kensington and Chelsea	8,930

Gold coin of the realm of England.

A BILL, (as amended by the commons) entitled, an act for making more effectual provisions for preventing the current gold coin of the realm from being paid or accepted for a greater value than the current value of such coin; for preventing any note or bill of the governor and company of the bank of England from being received for any smaller sum than the sum therein specified: and for staying proceedings upon any distress by tender of such notes:

Whereas, it is expedient to enact as is herein-after provided: Be it enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that from and after the passing of this act, no person shall receive or pay for any gold coin lawfully current within the realm, any more in value, benefit, profit or advantage, than the true lawful value of such coin; whether such value, benefit, profit or advantage be paid, made, or taken in lawful money, or in any note or notes, bill or bills, of the governor and company of the bank of England, or in any silver token or tokens issued by the said governor and company, or by any or all of the said means wholly or partly, or by any other means, device, shift or contrivance whatsoever: and every person who shall offend therein, shall be deemed and adjudged guilty of a misdemeanor.

And be it further enacted, by the authority aforesaid, that no person shall by any means, device, shift or contrivance whatsoever, receive or pay any note or notes, bill or bills of the governor and company of the bank of England, for less than the amount of lawful money expressed therein, and to be thereby made payable on demand: and every person who shall offend herein shall be deemed and adjudged guilty of a misdemeanor.

And be it enacted, by the authority aforesaid, that in case any person shall proceed by distress or pointing to recover from any tenant, or other person liable to such distress or pointing, any rent or sum of money due from such tenant or other person, it shall be lawful for such tenant or other person, in every such case to tender notes of the governor and company of the bank of England, expressed to be payable on demand, to the amount of such rent or sum so due, either alone or together with a sufficient sum of lawful money, to the person on whose behalf the distress or pointage is made, or to the officer or person making such distress or pointing on his behalf: and in case such tender shall be accepted, or in case such tender shall be made and refused, the goods taken in such distress or point-

ing, shall be forthwith returned to the party distrained upon, or against whom such pouncing shall have been used, unless the party distraining or pouncing and refusing to accept such tender, shall insist, that a greater sum is due than the sum so tendered, and in such case the parties shall proceed as usual in such cases; but if it shall appear that no more was due than the sum so tendered, then the party who tendered such sum shall be entitled to the costs of all subsequent proceedings: *Provided always*, that the person to whom such rent or sum of money is due, shall have and be entitled to all such other remedies for the recovery thereof, exclusive of distress or pouncing, as such persons had or was entitled to at the time of making such distress or pouncing, if such person shall not think proper to accept such tender so made as aforesaid.—*Provided also*, that nothing herein contained shall affect the right of any tenant, or other such person as aforesaid having a right to replevy or recover the goods so taken in distress or pouncing, in case, with making such tender as aforesaid, he shall so think fit:

Provided always, and be it enacted, that every person who shall commit in Scotland any offence against this act, by the provisions thereof is constituted a misdemeanor, shall be liable to be punished by fine and imprisonment, or by either other of said punishments as the judge or judges before whom such offender shall be tried and convicted may direct.

Provided always, That nothing in this act contained shall extend to Ireland.

Provided always, and be it further enacted, That this act shall continue and be in force to and until the 25th day of March, one thousand eight hundred and twelve, and no longer.

Barometers.

Barometers have become a very fashionable article of furniture in this country, from the most splendid edifice down to the meanest hovel. Yet few seem to make any other use of them than to inspect the height or depression of the mercury, and to make some inane expression of wonder at the indication which they observe. This instrument is calculated for other and better purposes. A late English philosopher, who has made a variety of curious and accurate observations on it in order to prognosticate the weather, lays down one general rule, which is very little attended to, by many of these sagacious observers, viz. that previously to observing the barometer, the state of the weather at the time, should be accurately noticed in every particular. Hence, to speak figuratively, we might affix this motto to the barometer, "tell me what the barometer is, and I will tell you what it will be."

The circumstances to be collected previously to inspecting the barometer, are, 1st. The state of the atmosphere, respecting its degree of clearness or cloudiness: 2ndly. The direction of the winds together with its steadiness or variability: and 3dly. The attitude and density of the clouds.

In order to make these observations with some degree of certainty the following directions should be observed.

1. The barometer *rising* may be considered as a general indication that the weather comparatively with the state of it, at the time of observation, is becoming clearer.

2. The atmosphere apparently becoming clearer, and the barometer above RAIN, and rising, show a disposition in the air for fair weather.

3. The atmosphere becoming clear, and the barometer above CHANGEABLE, and rising, indicate fair weather.

4. The atmosphere, and the barometer near FAIR, and rising, denote *continued* fair weather.

5. Our prognostic of the weather is to be guided, relatively, thus, if, notwithstanding the sinking of the barometer, little or no rain follow, and it afterwards rise, we may expect continued dry weather.

6. If, during a series of cloudy rainy weather, the barometer rise gradually, though yet be below RAIN, especially if the wind change from the south or west towards the north or east points, clear and dry weather may be expected.

7. The weather for a short period, viz. from morning till evening, may commonly be foretold with a considerable degree of accuracy. If the barometer has risen during the night and is still rising, the clouds are high and apparently dispersing, and the wind calm, especially if it be in or about the north or east points, a dry day may be confidently expected: the same rule applies for predicting the weather from evening till morning.

8. During the *increase* of the moon there seems to be a greater disposition or effort in the air for clear dry weather than in the *wane*: but this disposition does not usually commence till about three or four days after the new moon, and ceases about three or four days after the full moon.

9. The barometer should be observed occasionally thrice in the day, or oftener when the weather is changeable, in order to notice whether the mercury be stationary, rising or sinking: for from this circumstance, together with the direction of the wind and the apparent state of the air at the time, is information to be collected, and a continuance of the same, or a sudden change of the weather, to be foreseen.

10. Lastly, observe always: the higher the mercury shall stand in the scale in each instance, and the more regularly progressive its motion shall be, the stronger will be the indication: likewise, the more the wind inclines towards the north or east points, the greater will be the disposition in the air for fair weather.

The indications for *rainy* weather will obviously be the direct reverse of those rules which predict fair weather.

Frost is indicated in winter by the same rules that indicate fair weather, the wind being in or about the north-east points, and the thermometer sinking towards 32.

A fall of snow seldom comes without a previous frost of some duration, and is indicated by the sinking of the barometer, especially if the mercury be below CHANGEABLE, and the thermometer at or near the freezing point.

When the temperature of the air is about 35°, snow and rain sometimes fall together: at a warmer temperature than 35° it seldom snows, or rains at a colder temperature.

Thunder is presaged by the same rules which indicate rain, accompanied by sultry heat; the thermometer being up to 75.

Storms, hurricanes, and high winds, are indicated by the barometer falling *suddenly* or sinking considerably below MUCH RAIN.

The barometer is known to be rising or sinking by the mercury having either a convex or concave surface, or by the perceptible rise or descent of the mercury, if at the time of observation the barometer be gently rapped.

If at any time the weather should differ widely from the indications of the barometer, it may be

presumed, as is sometimes known to happen, that a particular is affected by local circumstances.

After a long continued series of wet weather, we may, when the weather becomes fine, expect an uninterrupted continuance of dry weather.

If after a long series of wet weather, the barometer rises above CHANGEABLE, and the wind veer steady to the north or east points, a continued duration of fair weather may be expected.

Slow and progressive variations in the barometer, with a fixed and steady state of the wind, indicate permanency of the change.

The barometer standing at or above FAIR denotes generally fair weather, although the atmosphere wear at the time an unfavorable aspect.

Lastly the greatest coincidence there is of the circumstances enumerated in the rules above mentioned, the stronger may our confidence be in the expectation of fair weather and in the continuance of it when present, by the barometer whilst high, remaining stationary, or varying but little, and the state of the atmosphere, and direction of the wind, disposed to be settled.

FROM A DISTANT CORRESPONDENT.

Philosophical Disquisitions.

No. I.

Since most of the operations of nature elude the eye of philosophy, by reason of their being carried on in the dark; it becomes necessary to employ collateral and relevant acts by way of analogy to gain insight. Our knowledge of chemistry affords great assistance in illustrating those mysterious subjects, since the dispositions of matter depend principally upon the laws of affinity.

Various opinions have been entertained by men of information respecting the solar system and the great and wonderful changes which are continually taking place in it. The sun they suppose to be fixed, and the planets placed at a proper distance, over the sun as the centre of motion. It seems reasonable to suppose that the sun was first formed, by Divine Providence, of a certain portion of matter which was acted upon by two causes, *viz.* attraction and repulsion.

By attraction we understand the relation or affinity which the particles of matter have for each other.

By repulsion, we understand a power called heat or caloric, which is continually acting in opposition to attraction. If a sufficient quantity enters a solid, it changes to a liquid. If a still greater, it is changed to a state of vapor or gas.

The above agents act upon all matter; it was given by the God of nature that different effects should be produced by them. It has pleased the Wise Disposer of all things to create matter, perhaps it is nothing more than attraction and repulsion; be this as it may, it is not our business to inquire what it is, or why it was formed.

Now it seems evident that the planets were first formed by the action of the above agents—and that all minor changes which take place on each planet individually were effected by said causes variously modified.

As soon as the sun was placed out of the reach of remote causes the heat which it contained began to act upon it in opposition to attraction. This gave rise to motion. After heat had acted some time on this matter, the parts of which it was composed became separated in such a manner as to throw the particles partially out of the sphere of each others attraction contained in the separated particles.

The quantity of matter in the sun being lessened in consequence of the repulsive power of heat, it follows that the particles which were first separated have a less affinity for the solid aggregate, because the quantity of solid matter is diminished and of course its attraction lessened. After a certain portion of heat was evolved to volatilize the sun's surface, and diffused throughout space for the purpose of keeping the component parts of matter at a respectful distance from the solid mass, a sufficient quantity remains to keep up motion or combustion. The particles already separated from the sun and partly out of its sphere of attraction, begin to act upon each other in consequence of lessened affinity to the parent. A new aggregate is now formed at a certain distance from its present matter. As the young aggregate increases in size, its attraction for the separated particles likewise increases, and, in a short time, it begins to be acted upon by the parent. Repulsion is now employed in preventing the new aggregate from uniting with the old. Repulsion, therefore, being removed from parts of matter first separated, and the separated particles continually uniting with the newly formed mass, its whole force is now employed in preventing attraction from uniting the infant matter to its parent.

The attraction which the parent and offspring have for each other, and the repulsion they meet with by heat, cause great exertion to be made on the part of both. This exertion compels the infant to dance or revolve round its parent in an orbit: in consequence of which a just balance is kept up between the two contending powers. This infant mass we call Hershell. Now a certain portion of heat has been continually acting upon the original mass, so as to cause a separation of some of its parts; these parts of matter can have no affinity for the first offspring, as there is an equal balance between attraction and repulsion. They necessarily come in contact, unite and form another infant mass nearer the parent than the first, this is called Saturn, he not only respects his parent, but looks up to his elder brother and is partly governed by him. They respect and attract each other and travel round their parent, making considerable exertion to get to him but are prevented by their repulsive enemy—an equal portion of attraction and repulsion being employed in keeping up a just balance between primitive matter and that which is formed from it, whilst repulsion continues its action on the original. A third being in a short time makes its appearance, called Jupiter; still nearer the parent than the second: thus a certain number of new beings are continually forming from the old, until there is an equal portion of primitive and disengaged matter separated. Repulsion now is obliged to exert its whole force upon them to prevent their united affections. The original matter of which the sun was composed being first acted upon by heat, gave rise to motion. The effect of this motion is a number of new beings, *viz.* Hershell, Saturn, Jupiter, Mars, Earth, Venus, Mercury, &c. The new beings, in course of time, form laws of their own. Although the parent is the governor, having imbibed the same principles of which the old is composed, they begin to be acted upon after they come to maturity by the same cause which gave them existence, *viz.* repulsion by heat which acts upon the eldest first and in a short time it is delivered of its own, grand-son to the original. This is Hershell's most remote moon. The same mode of generation is carried on by him until he is not capable of any further propagation. The same change takes place in the next eldest offspring Sa-

turn, until it comes down to the youngest of the original stock. It seems highly probable that all the fixed stars are so many suns, with their several regions and sets of planets revolving round them, formed in the same manner. It is certainly absurd to suppose they are fixed in the heavens only to adorn a canopy over our heads.

I have traced several modifications of matter from the original, and these modifications produce a great variety of causes, or exciting powers, which exciting powers produce effects to be mentioned hereafter.

The above theory to some may seem absurd. But they will think more favorable of it, after the second number in which I shall take into consideration minor changes produced in each individual planet.

CLBS.

The Chronicle.

The legislature of Maryland met at Annapolis on Monday. Colonel Thomas, of St. Mary's county, was elected speaker of the senate (the station he held in the late senate) after having declined being considered a candidate for the office of governor. Tobias E. Stansbury, the former speaker, was elected speaker of the house of delegates, without opposition. Thomas Rodgers, Esq. was appointed clerk of the senate, and John Brewer, Esq. clerk of the house of delegates. The proceedings and papers laid before the legislature shall be particularly noticed in our next number.

William Hunter, is chosen a senator of the United States from Rhode Island, in the place of Mr. Clumplin, resigned.

We are yet without definite intelligence from the north west frontier. Governor Harrison is on the Wabash with about 1300 men, of whom 430 are United States' troops, 700 militia, 150 cavalry, and a body of riflemen.

It is stated, that Wade Hampton has resigned his commission as brigadier general in the army of the United States, on account of the requisition made by the secretary at war, for the attendance of colonel Cushing, at the court martial for the trial of general Wilkinson, who was under arrest by order of general Hampton.

Extract of a letter from an officer in the American service, to his friend in Frankfort, Ken. dated

"NACHITOCHES, September 23.

"A Spaniard arrived here yesterday, who made oath before Dr. Silby, a justice of the peace, that he was an artillerist some time since at St. Antoine, in the service of the republicans, and that the corps to which he had been attached had joined the royal party much against his inclination; and that colonels Manshac and Bernard, with captains Gonsalves and Hanandes, (all in the republican interest) had been empowered to go to the United States with instructions to treat for arms and ammunition, saying that the republicans had upwards of three millions of dollars which the United States' government could have by sending a vessel round to bring it away—and that governor Cordero, who commands somewhere in the interior, learning of the expedition, gave intimation of it to governor Salcedo, at St. Antoine, with an order to send out patrols to intercept the party, if possible. That himself was one of the patrols sent—that he deserted his party and joined Manshac—that they crossed the Sabine, and had gotten within 60 miles of this place (Nachitoches) when they were overtaken by a large party, who surrounded the house (Mr. Bernard's) in which Manshac and his party had quartered for the night—that himself made his

escape with much difficulty. He expects Manshac and party were either killed or taken.

"He moreover states, that Manshac had an intercepted letter from governor Cordero to some of the commandants of the royal party, in which he says "that he intended soon to march against Fort Claiborne with a force of 6000 men, in consequence of our interference in Florida." Mexico is besieged by a large army of republicans—they are badly armed—the royalists possess the magazines. The American captain R. Smith has been killed in the republican service."

BOSTON, November 2.

CANADA OAK.—The Queen Charlotte of 120 guns, launched at Deptford (England) last July, was found in September last to be in a rapid state of decay; the timber in which the decay has taken place was principally of Canada oak. She was about seven years in building.

Complaisance.—His excellency William Hull, governor of Michigan, was conveyed from Detroit to Buffalo in the British sloop of war Queen Charlotte; and she complimented him with a salute on his landing.

CONGRESS OF THE UNITED STATES.

HOUSE OF REPRESENTATIVES.

Thursday, Nov. 7.—Mr. Mitchell moved, that the usual standing committees be appointed, viz. a committee of elections, of claims, of commerce and manufactures, and on the district of Columbia, of ways and means, on public lands, of post-offices and post-roads, of revision and unfinished business, and a committee of accounts.

Mr. Dawson thought it would be better to postpone the appointment of these committees until to-morrow, in order to give the speaker further time to become acquainted with the members.

Mr. Mitchell had no objection to a short delay. Mr. Burwell hoped the committee of elections at least would be appointed immediately as he had a petition to present relative to a contested election.

Mr. Burwell's proposition was assented to, and the appointment of all the other committees was postponed until to-morrow.

Mr. Burwell then presented the petition of John Talliaferro of Virginia, complaining of the undue election of John P. Hungerford, as member of the house. Referred to the committee of elections.

Mr. Blackledge observed, that as the house at present appeared to have no business before them, he would move to adjourn. This motion was agreed to—47 to 43. And the house adjourned (quarter before 12 o'clock.)

The Editor's Department.

Accompanying this number is a supplement of eight pages, containing a variety of miscellaneous matter.

The pressure of the public documents, which it is a chief design to Register, received at a late hour, and coming upon us unprepared for so great a quantity, has deranged this week's business not a little. Their publication will be continued in the next number; with which for the more early conveyance of them to our readers, another supplement will be issued, if necessary.

With mingled sensations of pleasure and regret, the editor is compelled to make known his present inability to supply many new subscribers with the four first numbers of the REGISTER. They are reprinting with all convenient dispatch, and will be forwarded in a very short time, as ordered.

THE WEEKLY REGISTER.

Vol. I.]

SUPPLEMENTARY TO No. 10.

"——— I wish no other herald,
"No other speaker of my living actions,
"To keep mine honor from corruption
"But such an honest chronicler."

Shakspeare—HENRY VIII.

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History.

Of the Invasion of Spain by Bonaparte.

ABRIDGED FROM THE MOST AUTHENTIC SOURCES.
CHAPTER IV.

(CONTINUED FROM PAGE 143.)

The French general Wedel had been dispatched from Madrid, with 6000 troops, to the succor of Dupont, who ordered him to guard the roads from Jem to Baylen, and to Ubeda. During the truce this general advanced upon Baylen, and suddenly attacked Reding, who was altogether unprepared. The battalion of Cordova was surprised and made prisoners, and two field-pieces were also taken; but the success, thus basely obtained, was dearly purchased; for Dupont, in consequence, was compelled to include Wedel in the capitulation, with all the French troops who might be stationed between the summit of the Sierra and Baylen. The French force, before the battle, amounted to 14,000, that of the Spaniards to 25,000, half of whom were peasantry. When Dupont first demanded terms, Castanos replied, that they would grant no other than that they should be prisoners of war, with permission to the general and his officers to wear their swords, and take with them a portmanteau each, filled with clothes only, in consequence of the pillage which they had committed; and in the official dispatches it was stated, that the whole of Dupont's division were prisoners of war, whereas, those under Wedel were to be sent to France by sea. These terms were communicated to the junta of Seville, both by Castanos and count de Tilly, one of their own body, who was with the army, and they were officially made known to lord Collingwood. Nevertheless, it seems by what afterwards occurred, that the actual capitulation was of a very different character,—that Castanos did not insist upon stripping the French of their plunder, and that he agreed to transport the whole of them to Rochefort. Why the official accounts differ so materially from the truth, has not been explained; nor why terms were granted so much more favorable than Dupont, under such circumstances, was entitled to demand. It is more easy to discover why they were not executed.

Dupont had entered Andalusia in full expectation of easily crushing the rebels, as he styled them, following the monstrous language of his master.—According, therefore, to the usual custom of the French generals, he had plundered wherever he went: his soldiers had been let loose upon the country, and nothing was safe from their rapacity, their cruelty and their lust. Cordova, where they had experienced some resistance, suffered especially; but the people of Andujar, who forebore to aid their countrymen, in the hope, perhaps, of purchasing their own security by submission, were also pillaged without mercy. The Andalusians,

therefore, were exasperated against the French on account of these atrocities, as well as by that general feeling of just indignation which the cause of the war necessarily excited. Their junta had issued a formal declaration of hostilities against France; but the people knew and felt that this was not an ordinary war, and that no formality could make it so; that the French had not entered their country as fair and honorable enemies, but basely and perfidiously, in the character of allies; that their actions, after the first treachery, had been those of ruffians and murderers: and that thus they had forfeited all claim to the common courtesies and observances of war. The Spaniards, therefore, did not consider these men as soldiers, but as criminals: they had laid down their arms, but they could not lay down their crimes? and it was impossible for those who had any sense of the importance of the contest in which they were engaged, the sanctity of the principles for which they were struggling, even of what was due to their own honor and individual feelings, to regard the French as they would have regarded any other enemies. Dupont, after his surrender, invited the Spanish officers to dine with him, and they, one and all, pre-emptorily refused, without assigning any apology or excuse,—but with an undisguised impulse of abhorrence, shrinking from him as from one with whom it was infamous to associate.

It is said that letters were intercepted which he had dispatched to Junot after his capitulation, urging him to march with his main force into Andalusia, pointing out to him what places to attack, and promising to rally the prisoners and join him.—Whether this were true, or only a fabrication, intended to excuse the junta for breaking the engagement into which Castanos had entered, Dupont soon perceived it was not intended to transport his army to France, and he addressed a letter of complaint to Morla. Morla replied that the conditions of the treaty were in themselves impossible. The Spaniards had neither transports nor the means of procuring them; nor, if they had, was it supposed that the English would suffer them to pass, certain as they must be that the French would immediately carry on the war on some other point or perhaps on the same. Neither Castanos, he said, nor Dupont himself, could ever have thought that the capitulation would be executed; the object of the former was to relieve himself from embarrassment; that of the latter, to obtain conditions, which, though impossible, might give an appearance of honor to his surrender.

There can be little doubt that Morla was originally disposed to submit to the French; his subsequent conduct is not explicable upon any other supposition; but it seems as if the great and unexpected success of the Spaniards had shaken him, and that he was willing to be a patriot while patriotism was triumphant. In his correspondence with admiral

Rosilly, he had carefully abstained from all language which might foment the indignation of his countrymen, and offend Bonaparte. Now, on the contrary, he spoke boldly, and asked Dupont what rights such an army as his could have to demand the execution of treaties? Had it not entered Spain professing friendship and alliance; imprisoned the king and the royal family; plundered his palaces; ravaged his towns; and robbed and assassinated his subjects? The national honor of the Spaniards, he said, would not permit their rulers to treat such enemies otherwise than as they were treated; and Dupont was warned against drawing upon himself, by his imprudence, more and more the indignation of the people, and admonished, by submission and a suitable behaviour, to weaken the strong sense of the atrocities he had committed at Cordova. That general, and his staff, however, would have been sent to France, had it not been for an accident which inflamed the indignation of the Spaniards to the highest degree. As his baggage was on the way to the water-side to be embarked, some church-plate, part of the plunder from Cordova, fell out of one of the bags. It was seen by the people, and they instantly seized upon the whole of the plunder which the French were about to carry off. Dupont, with great effrontery, addressed a second letter to Morla, on which he "invoked the principles of honor and probity for the restitution of his property." This provoked the indignant reply which it deserved. "It never was my intention" said Morla, "and still less that of the supreme junta, that you and your army should carry out of Spain, the fruit of your rapacity, cruelty and impiety. How could you conceive this possible? How could you believe us to be so stupid and senseless? Can a capitulation which speaks only of your equipage, give you a property in the treasures which your army has accumulated by means of murder, cruelty, and sacrilege? Is there any reason, or right, which requires that faith or even humanity, should be observed towards an army which entered the kingdom of a friend and ally under false pretences, seized its king and all his family, extorted from him a renunciation in favour of their own monarch, and, because the nation would not submit to a transfer, which, even if their king had been at liberty he had no power to make, proceeded to pillage the palaces and towns, to profane and plunder the churches, murdering the ministers of the altar, ravishing virgins, seizing every article of value which they could transport, and destroying what they were forced to leave behind? Is it possible," said Morla, "that they when deprived of the fruits of their iniquity, should have the impudence to appeal to the principles of honor and probity? My natural moderation," he added, "has induced me to write to your excellency hitherto with a certain respect; but, in reply to such extraordinary demands, which amount to this, 'do you sack the temples and houses of Cadiz, in order to indemnify me for the plunder of Cordova and other towns, which the populace have taken from me.' I could not refrain from a slight sketch of your conduct. Lay aside such expectations, and congratulate yourselves that the noble character of the Spanish people makes them abstain from exercising the vile office of executioners."

Dupont and his staff were now detained as prisoners. It would probably have been dangerous to have embarked them; and the general himself, perhaps, began to apprehend, that, however wretched his situation in Spain, there was little hope of amending it by returning to France. Morla informed the people that their transportation was suspended by the junta of Seville, for weighty

reasons, not fit to be made public. Those reasons have never transpired; but, for the terms which Castanos had agreed to, of carrying the whole army to France, it is manifest that such terms ought not to have been granted, and that the junta of Seville could not execute them without betraying their country,—for what was it but transporting them out of Andalusia, that they might recross the Pyrenees, and begin their atrocities anew; first in other provinces, and finally in Andalusia itself, whither they would return with additional forces to complete their work, and take vengeance for their defeat? It is not to be supposed that any terms can bind a government to act in direct, certain and manifest opposition to the welfare of the people; but it behoved the junta of Seville solemnly to have proclaimed this, to have disavowed the act of their general, and to have censured him, notwithstanding his victory.

The feeling of the Spaniards was so strong, in consequence of the atrocities which they had witnessed, that Morla was called upon, by anonymous letters from many parts of Spain, to consider Dupont and the other generals as robbers and murderers, and bring them to condign punishment. If Murat, indeed, had been made prisoner, the executions which he had ordered at Madrid after the insurrection, and in cool blood, would have justified the Spaniards, in putting him, and every member of his bloody tribunal, to a public and shameful death; the blood of their murdered brethren, the honor of their country, and the general good of mankind, would have required such an example. With regard to Dupont and his staff, it was otherwise; and Morla, who thought the wish of putting them to death was disgraceful to his countrymen, ought not to have affixed a stain upon them by publicly replying to anonymous letters. But it is apparent, from the general style of his reply, that he now expected Bonaparte would be successful in his usurpation, and that he took this opportunity of publishing opinions to which he might refer as proofs of consistency, after he should have abandoned the patriotic cause, and betrayed his country. In detaining the prisoners, he said, he had only obeyed the junta of Seville; to obey was all he had to do; for it was not in his character or manner of thinking ever to resist a constituted authority; such resistance could only occasion civil dissensions, which were the greatest evils a nation could suffer, and which he would never spare any sacrifice to avoid. This might have been the careless language of an honest man, but it became apparent that Morla had weighed his expressions well, and used them with a definite meaning, and a definite purpose, when he afterwards acknowledged the government of the intruder as a constituted authority; informed the Spaniards that no evil was so great as that of seeing their country the seat of war, and exhorted them to put an end to that evil by the sacrifice of individual honor and national independence, and becoming slaves and traitors like himself.

By the battle of Baylen, Andalusia was left in peace; not a Frenchman in arms remained in the whole province. The victory was splendid in itself, and of great importance in its immediate consequences; it was worthy of thanks givings and rejoicings, and policy required that the junta should celebrate it with ostentatious solemnities. Castanos had made a vow to dedicate his victory to King St. Fernando, who, having won the city of Seville from the Moors, is worshipped there with especial veneration. The ceremony was performed on the 4th August with great pomp, and the French eagles were

offered at the shrine of the canonized conqueror, as trophies of the most signal victory that had been achieved in Andalusia since his time. But in the language of Castanos, there were marks of vanity and boastfulness which detracted from the estimation in which he had previously been held; he arrogated to himself as much merit for the victory, as if he, and not Beding, had commanded in the field.

(TO BE CONTINUED.)

French Decree.

PALACE OF TRIANON, August 23.—Napoleon by the grace of God, and constitutions, emperor of the French, &c. to all present, and to come, greeting.

Different questions having been submitted to us with regard to the condition of Frenchmen established in foreign countries, we have thought it right to make known our intentions on that subject.

By our decree of the 5th of April, 1809, we have already pronounced with regard to such Frenchmen as have borne arms against their country; and those, who, residing with a power with whom we go to war, do not quit its territory: or who being summoned by us, do not obey that order.

But no law has yet been laid down either with regard to Frenchmen naturalized in foreign countries, with or without our authority, or with regard to such as have already entered, or choose to enter in future, into the service of a foreign power.

And as it is not our wish to confound those of our subjects who are induced from legitimate motives to naturalize themselves abroad, with those whose conduct will assume the character of felony, we have resolved by these presents, to complete and make known this important branch of legislation.

For these reasons, on the report of our grand judge, minister of justice, and our council of state being heard,

We have decreed and ordered, and do decree and order as follows:—

TITLE I. Of Frenchmen naturalized abroad with our permission.

Art. 1. No Frenchman can be naturalized abroad without our authority.

2. Our permission shall be granted by letters patent, drawn up by our grand judge, signed by our hand, countersigned by our secretary of state, inspected by our cousin, the prince arch-chancellor, inserted in the bulletin of laws, and registered in the imperial court of the last place of domicile of the person to whom they relate.

3. Frenchmen thus naturalized abroad shall enjoy the right of possessing, of transmitting, and of succeeding to property, even when the subjects of the countries where they shall be naturalized, do not enjoy these rights in France.

4. The children of a Frenchman born in the country where he is naturalized are aliens.

5. Frenchmen naturalized abroad even with our permission, can at no time carry arms against France, under pain of being indicted in our courts, and condemned to the punishments enacted in the penal code, book 3d, chap. 73.

TITLE II. Of Frenchmen naturalized abroad without our permission.

6. Every Frenchman naturalized abroad without our permission, shall incur the loss of his property, which shall be confiscated; he shall no longer enjoy the right of succession, and the succession falling unto him shall pass to the next heir, provided he is domiciliated in France.

By the 7th, 8th, 9th, and tenth, it is provided that

by a process instituted in the courts of justice, such persons shall lose their titles if they have any, together with the property attached to them, which shall devolve to the nearest heir, being French, the rights of the wife being secured, which shall be regulated as in the case of widowhood.

11. Those who are naturalized abroad without permission, and against whom the above process has taken place, if found in the territory of the empire, shall, for the first time, be arrested and conducted beyond the frontiers; if they return, they shall be condemned to a certain number of years imprisonment not less than a year, nor more than ten years.

TITLE III. Of individuals already naturalized abroad.

12. Individuals naturalized abroad at the period of publication of this decree, may within a year, if on the continent of Europe, within three years, if beyond that continent; within five years if beyond the cape of Good Hope and in the Indies, obtain our confirmation according to the forms prescribed in the present decree.

TITLE IV. Of Frenchmen in the service of a foreign power.

13. No Frenchman can enter the service of a foreign power without our special permission, and except under condition of returning, should we recall him either by a general proclamation or a direct order.

14. Those of our subjects who shall have obtained this permission, cannot take the oaths to the power which they serve, without a proviso of never bearing arms against France, and of quitting the service, even without being recalled, should that power happen to go war with us.

15. The permission of entering the service of a foreign power, shall be granted by letters patent, according to the forms presented in article 2d.

16. They cannot act as ministers plenipotentiary in any treaty where our interests come into discussion.

17. They must not wear a foreign cockade in countries in subjection to us, nor there appear in a foreign uniform; they shall be authorized to wear the national colors when in the empire.

18. They may nevertheless wear the decoration of foreign orders, when they shall have received them with our consent.

19. They may not enter France but with our special permission.

20. Frenchmen entering the service of a foreign power without our permission, and remaining in it after war is declared between France and that power, shall be considered as having borne arms against us, from the circumstance alone of their having continued to form a part of a military corps destined to act against the French empire or its allies.

22. Our ministers are charged each in his own department, with the execution of the present decree. (Signed) NAPOLEON.

By the emperor,

Count DARU, secretary of state.

The lieutenant governor of the state of Virginia has issued a proclamation, offering fifty dollars reward, for the apprehension of a certain John Johnson, who lately made his escape from the jail of Louisa county, to which he had been committed on a charge of grand larceny—said "Johnson is five feet eight or nine inches high, of a pale complexion, an Irishman by birth, very impetuous in his behavior, swears hard, and is very fond of ardent spirits."

TABULAR VIEW OF THE WARS IN WHICH THIS COUNTRY HAS BEEN ENGAGED SINCE THE REVOLUTION.

No. of Years.	With whom.	When begun.	When ended.	Where ended.	Duration of each year.	Duration of each peace.	Trade began.	Trade ended.	Debt contracted.	Debt paid off.	Average on interest.
1	France	May 7, 1689	Feb'y 10, 1697	At Ryswick,	7	3	614,862	20,035,737	20,700,000	4,290,000	3,000,000
2	France & Spain	May 4, 1701	March 13, 1713	At Utrecht,	11	10	16,500,000	33,300,000	32,000,000	2,000,000	3,700,000
3	Spain	Dec'r 16, 1713	Oct'r 18, 1721	At Madrid,	8	5	50,000,000	6,800,000	56,000,000	6,000,000	4,000,000
4	France	Oct'r 19, 1733	October 18, 1763	At Aix-la-Chapelle	2	5	50,000,000	28,000,000	78,000,000	4,000,000	6,000,000
5	Spain	May 18, 1763	Feb'y 10, 1765	At Fontenoy	6	11	21,000,000	23,000,000	157,000,000	11,000,000	7,000,000
6	America, &c.	April 19, 1775	Sept'r 3, 1783	At Paris	8	21	135,000,000	110,000,000	32,000,000	11,000,000	7,000,000
7	France	Feb'y 11, 1793	March 27, 1802	At Amiens	9	4	212,000,000	47,500,000	619,000,000	200,000,000	23,000,000
8	France, &c.	March 9, 1804			1	16	619,000,000				

* In this

† The debt incurred by the

British diplomatic pensions.

The following list of *pensions*, by far the greater part of which has accrued within 10 or 12 years—making an aggregate of £59,789, equal to \$265,963 16—or about the amount of the *whole civil list of the United States*, may serve to shew in what manner the earnings of the many are squandered to pamper the well-born few, in monarchical governments. Several of those pensions are the *reward* of a few months service; which, at the time it was rendered, was bountifully paid for. To exemplify the nature of pensions, generally, in Great Britain, we intend to publish lord Cochrane's speech respecting them.

Extract from the accounts and papers presented to the British house of commons, relating to the increase and diminution of salaries in the public offices of government. The following *late foreign ministers, secretaries and consuls* are upon the contingent pension list.

William Wlekham, £1200 per annum; George Cook 248 do.; John Coleman 120 do.; Nathaniel Davison 360; reverend Louis Dutens 300; John Lewis Doerfeld 250; Earl of Elgin 2000; Sir Robert Gunning 4000; Morton, Lord Henly 2000; Daniel Hailes 1127; Charles Keene 250; *Robert Liston* 2000; [suspended on account of employment]; John Milliquet 250; John Osborne 800; Horace St. Paul 600; Allene, Lord St. Helvins 2300; Sir John Stepney 800; Richard Shepherd 250; Lord Viscount Torrington 1684; John Trevor 1200; James Talbot 600; James Earl of Malmesbury 2300; [£1200 reversionary to Lord Viscount Fitzharris]; Thomas Walpole 800; Charles, Lord Whitworth 2300; Robert Walpole 2000; William Drummond 1700; Sir James Crauford 1000; John Hookman Frere 1700; David Gray 600; Perkins Magra 500; Robert Walrond 250; John Falcon 500; William, lord Auckland 2300; Francis Drake 1500; *George Hammond* 1200; Charles H. Fraser 900; Joseph Fry 200; *Francis James Jackson* 1700; *Anthony Merry* 1700; Brook Taylor 1200; John Spencer Smith 1200; Henry Watkins Williams Wynn 1200; Charles Arbuthnot 2000; [suspended as joint secretary of the treasury; Alexander Stratton 1500; Edward Thornton 1200; Sir John Borslase Warren 2000; Sir Arthur Paget 1700; Henry Pierrepont 1200; John Watson 300; Thomas Jackson 800.

British Order in Council.

The following is the entire substance of the *order in council*, mentioned in our last—copied from a London paper of Sept. 6.

The prince regent, in council, on the 6th September, has been pleased to order, that the orders in council allowing the importation and exportation of certain commodities in neutral ships, into and from his majesty's territories in the West Indies, &c. be continued in force until December 31, 1812, (except with respect to salted, dried or pickled fish; and beef, pork or butter, after the 1st July, 1812.) In consequence, vessels belonging to states in amity with his majesty, may import into the said West-Indies, &c. staves, lumber, horses, mules, asses, neat cattle, sheep, hogs, and every other species of live stock, and live provisions, and also of every kind of provision whatsoever, (excepting the articles of salted, dried, or pickled fish, beef, pork, and butter, as aforesaid, after the 1st of July, 1812.)

But his royal highness nevertheless orders, that

FROM A GLASGOW PAPER.

BRITISH STATISTICS.

after the 1st day of December, 1811, on all staves, lumber, horses, mules, asses, neat cattle, sheep, hogs, poultry, live stock, live provisions, and any kind of provisions whatever, being of the growth or produce of the United States of America, the following duties shall be paid:—

For every quintal of dried or salt cod fish fifty-five cents; and a proportionate duty for every barrel of cured or pickled shad, alewives, mackarel, or salmon. And the following duties in Jamaica currency.

Wheat flour, per barrel,	0 6 8
Wheat bread, do.	0 3 4
Other bread per hundred,	0 3 4
Meal, from rye, peas, beans, Indian corn, &c. per bbl.	0 3 4
Peas, beans, rye, corn, &c. per bushel,	0 10
Rice, per cwt.	0 3 4
Common shingles (Boston chips) per thousand,	0 3 4
Other shingles, per thousand,	0 6 8
Red oak staves, per thousand,	1 0 0
White Oak do.	0 15 0
White or yellow pine lumber, do.	0 10 0
Pitch pine lumber, do.	0 15 0
Hoops, per thousand,	0 5 0
Horses, neat cattle, stock, &c. ten per cent. ad valorem, at the port or place of importation.	

It is also ordered, that the said permission to import and export, until the said 31st day of December, 1812, shall cease in six months after notification of such cessation shall appear in the London Gazette, and at the expiration of six months, after the ratification of a definitive treaty of peace.

British America.

BARBADOES, August 27.—At a meeting of the planters and merchants engaged in the sugar manufactory and trade, the following resolutions, among others, have been passed.

That the distresses of the West India planters have increased to an extent hitherto unexampled, and the effects which the disuse of sugar in the distilleries has already produced, are such as to excite in our minds just and most alarming apprehensions, that nothing short of speedy relief can enable the planter to preserve his capital from the most rapid deterioration.

That a partial export of sugar from the West Indies was formerly allowed in American bottoms, the prohibition of which has proved extremely injurious to the planters, who receive those stores so essential to the existence of their plantations from the United States, to pay for which, money is now drained from the colonies. Hence it was recommended in the year 1808, by a committee of the house of commons, that the planters should be allowed to barter sugars with the Americans, to the value of the stores which they receive from them; and it has been proved before a committee of the house of commons in 1807, that British America is ill suited to supply the wants of the planters, who are furnished only with one tenth of their stores thence; the value of these stores from the United States has been computed at 25,000 hhds. of sugar, the vent for which would afford a great relief to the planter and prevent a reduction of his crops, which under existing circumstances, must ultimately ensue to his ruin, and to the consequent injury of the shipowner and merchants; on the other hand, the admission of this barter would contribute to redeem him from a rapid approach of insolvency, and enable him to pay those debts which would otherwise be lost to his British correspondent; and at the

same time, an intercourse of this kind with America is not contrary to the navigation laws, since they do not restrain direct intercourse between us and any foreign country, whose shipping brings us her own produce and carries back ours:

That another mode of relief, at once obvious and just, is the reduction of the duties under a regulation proportioning them to the average price of sugar:

That a committee of twelve gentlemen be appointed to prepare a petition to parliament and to the throne, and to carry into effect the general objects of this meeting; of which number any five with the chairman of this meeting, shall be deemed competent to transact business.

Resolved, That the committee be instructed to apply by petition to the legislature, requesting that a fund be provided to meet the necessary expenses incurred in carrying the objects of the meeting into effect.

The following gentlemen were chosen as a committee:

Hon. John F. Alleyne, hon. Samuel Hinds, hon. John B. Skeete, hon. John A. Beckles, hon. John Beckles, Henry E. Holder, George Carrington, John P. Mayres, John H. Pinder, Dr. H. Hamden, jr. James Maxwell, C. Cadogan, esqs.

The chairman (hon. John Burrows) received the thanks of the meeting, and the business of the day was closed.

By order of the hon. the chairman.

L. THOMAS, jr. Secretary.

A Day at Madrid.

From a PICTURE OF MADRID, taken on the spot.
By CHRISTIAN AUGUSTUS FISCHER.—Translated from the German.

I wake—'tis four o'clock in the morning! The whole broad street of *Alcalá* is spread before me like an immense square—churches—palaces and convents—at the further end the shady walks of the *Prado*—a grand sublime sight, baffling description.

The matin bell announces the early mass—the streets become more animated. Veiled women in black, men in long brown cloaks with *redoullas*, wearing their hair in a kind of net work, hanging low down their back. The doors of all the balconies open, and water is sprinkled out before every house.

Now the goat-keepers with their little herds enter the gates, crying milk! milk! goat's milk!—fresh and warm! who will have any? There I see market-women pass by with their asses loaded with vegetables—bakers with bread, in carts made of Spanish reed—water carriers and porters hastening to commence their day's work, while with a hoarse voice two consequential looking *algarzils* proclaim the thefts committed on the preceding night.

By degrees, all the ware-houses, shops, and booths, are opened. The publicans (*taberneros*) expose their wine-cups: the chocolate women get their pots ready: the water-carriers begin to chaunt their "*Quien bebe?*" (who'll drink?) and the hackney coach and hackney chaise driver, with the persons who let mules for hire, take their usual stands.

Soon the whole streets resounds with the various cries of numberless criers—Cod, white cod! Onions, onions from Galicia! Walnuts, walnuts from Biscay! Oranges, oranges from Murcia! Hard

smoked sausages from Estramadura! Tomates, large tomatoes! sweet citrons, sweet citrons! Barley water! Ice water! A new journal! A new gazette! Watermelons! Long Malaga raisins! Olives, olives from Seville! Milk rolls! milk rolls, fresh and hot! Grapes, grapes! Figs, new figs! Pomegranates, pomegranates, from Valencia.

It strikes ten; the guards mount; dragoons, Swiss regiments, Walloon guards, Spanish infantry, "Alos pies Vin Donna Manuela!" (*Let us go to mass.*)

All the bells are ringing, all the streets are covered with the rock roses, rich carpets hanging from every balcony, and altars raised on every square under canopies of state. The procession sets out. What a number of neat little angels, with paste board wings, covered with gilt paper! Images of saints, with fine powdered bob wigs, and robes of gold brocade! What swarms of priests!—How many beautiful girls! all pleasant and in mixed groups.

The clock proclaims noon day! We return thro' the square of the Puerta del Sol! All the *rifas* (raf-fes) have begun, all the hackney writers are busy and the whole square thronged with people.

One o'clock! we are called to dinner; a great deal of saffron, many love-apples, plenty of oil and pimento! But then, wine from La Mancha, old Ceres and Malaga; What a nice thing is Spanish cookery!

La Siesta! la Siesta, Senores! A deadly silence is in all the streets, all the window shutters are *put up*, or the curtains let down, even the most industrious porter stretches his length on his mat, and falls asleep at the fountain, with his pitcher behind him.

At four o'clock every body repairs to the bull fight, to the canal, or to the Prado, all is gaiety and merriment, one equipage after another, one chaise after another, drive full speed to those places of diversion.

The Puerta del Sol becomes as crowded as before, and the water-carriers and the orange women, the procuresses of the frail fair, are all as busy as bees.

This passes the afternoon; and the dusky shades of evening set in at last. All the bells ring, and every Spaniard says the prayer of salutation to the Virgin. Now all hasten to the *tertulias* and theatres, and in a few minutes the rattling of carriages resounds in every street. The lamps before the houses, or the images of the Virgin, are already lighted; the merchants and dealers have illuminated their houses and shops, and the sellers of ice water and lemonade their stalls. Every where are seen rush lights, paper lanterns, and bougies on the tables of the fruit women and cake-men.

Meanwhile the crowd on the square has prodigiously increased, and it is soon stowed with people. In one part you will hear the soft sounds of the guitar, or a *seguidilla*; in another a female ballad singer tells in rhyme the tale of the last murder committed; in a third, a thundering missionary, attempts to move the hearts of obdurate sinners, while the light footed cyprion corps carries off his audience by dozens. Soon passes the rosary and tattoo with music, and the equipages return from the theatres.

It grows still later: the crowds begin to disperse; by one o'clock in the morning all the streets are still and quiet, and only here and there resounds a solitary guitar through the solitary gloom of night.

Hurricane.

We have noticed the general suffering of the British vessels of war on our coasts, by the late gales. The following extract from the log book of an officer on board the *Spartan*, is awfully descriptive of the storm, and deserves record. It is copied from a Halifax paper of the 9th ult.

Extract from a log-book kept on board his majesty's ship Spartan, giving an account of the hurricane of Monday, September 30.

At 2 A. M. wind S. E. fresh gales and cloudy, Africa in company—at three, down top gallant yards, and close reefed her topsails, at 7 struck top-gallant masts—at the same time the barometer had fallen to 28.6-10, this was attempted to be communicated to the Africa by telegraph, but it came on so thick that we lost sight of her. At 8 it blew very hard from S. E. handed the topsails and courses, the sea got us so suddenly that we could not send a man aloft to send the top-gallant masts on deck; at 10 A. M. the barometer at 28.3-10, at 10, 20, the wind suddenly died away to nearly a calm, so that the storm stay-sails were set to keep the ship steady, the wind gradually shifting round from S. E. to N. W. and about half past 11 it came on to blow with a fury which it is impossible to describe; the noise of the wind resembled a continued discharge of heavy artillery, and its effects upon the storm sails, which were quite new and of the strongest canvass, was the same as if struck by a shot, the instant they felt the wind they shivered to atoms and blew away in very small pieces; and now without a rag of sail except a trysail, the ship lay on her side like a log, the sea was one sheet of foam, the lee guns on the main deck were under water, and nothing but the hatchways being buttoned down in time prevented our receiving much water below; the mizen top sail blew loose, and at the same moment the mizen top mast went over the side, but the wind was so loud that we did not hear it fall; the sea was at this time breaking over the ship to windward, and the scene on deck was most awful. For nearly an hour and an half this continued; every moment we expected the masts to be blown over the side, and by the greatest exertions imaginable, a hawser was passed round the lee rigging to enable us to cut away the shrouds whenever the masts might fall.

"The men behaved nobly, and the officers set them a good example, but such was the violence of the tempest, that the most daring seaman could do little more at first than look at it with astonishment. At 1 P. M. the carpenter reported the mainmast to be so badly sprung that he thought it must soon fall; the foremast was nearly in the same state, the ship laboring so much that we considered the loss of the masts as inevitable; at half past one the wind abated, but still blew a heavy gale, and we saw the Africa to windward, with her main and mizen top masts gone; at this time the larboard or weather bower anchor broke adrift, and we apprehended that the force of the sea would drive it through the bow, so we cut the cable and let it go; at 4 the gale had moderated, but the sea still ran very high; all hands were employed in securing the masts. At 30 minutes past 10 P. M. the maintop mast fell over the side, which we were not sorry to see as it certainly saved the mainmast; we were employed all night in clearing the wreck, the next morning the sea still ran high, and to save the mast we were obliged to cut the main beams and let the yard come down; but we secured it without its doing any injury, we saved all our wreck. Many of the men distinguished themselves

by their intrepidity in volunteering aloft, when it was not justifiable to order them up, but they made the order, and it was reluctantly accepted."

Literary Intelligence.

FROM SELECT REVIEWS.

We have witnessed, with very great pleasure, the taste and judgment with which the three volumes of the "American Law Journal," by John E. Hall, Esquire, of Baltimore, have been produced. We have no doubt that the subsequent volumes will furnish additional reasons to applaud this very useful publication. It has been justly valued by the lawyers of our country; has been quoted as authority in the several professional publications, which Messrs. Day, Condy, Story, Ingersoll, and Duponceau,* have issued from the American press, and is frequently cited on the trial of causes before our highest tribunals. It is also gradually making its way among those other classes of readers, to whom some knowledge of the improvements and changes in the law is either incidentally useful to their avocations, or desirable, in order to fill up the stock of general information. It is not merely a compilation, but embraces original articles, with which it will, doubtless, be more frequently enriched, as the task becomes more familiar to the editor, and his professional friends shall be more generally engaged to contribute to its variety and advance its utility by studies of their own. Its use is not confined to any state in the union. It contains decisions of the judicial tribunals of every state, and copious extracts from those of their laws, which, being founded on general principles, it is important should be consulted by all our lawyers. No work of the kind has appeared before in the United States, and assuredly no work is calculated for practical utility, more than this, if the industrious and meritorious author shall be patronized as he deserves, by those for whom he has labored.

The "American Law Journal" is published in quarterly numbers, at a very moderate price. It commenced in 1808, and three volumes have been published.

Miscellaneous.

Mutability of Human Creatures.

In the year 1504, only 307 years ago, the master of the ceremonies of Pope Julius II, ranked the powers of Europe as under. This was the rule of precedence for ambassadors.

- | | |
|-----------------------|----------------------------|
| 1 Emperor of Germany, | 14 Poland, |
| 2 France, | 15 Denmark, |
| 3 King of the Romans, | 16 Republic of Venice, |
| 4 Spain, | 17 Duke of Brittany, |
| 5 Arragon, | 18 Duke of Burgundy, |
| 6 Portugal, | 19 Elector of Bavaria, |
| 7 England, | 20 Elector of Brandenburg, |
| 8 Sicily, | 21 Elector of Saxony, |
| 9 Scotland, | 22 Arch Duke of Austria, |
| 10 Hungary, | 23 Duke of Savoy, |
| 11 Navarre, | 24 Grand Duke of Florence, |
| 12 Cyprus, | |
| 13 Bohemia, | |

Neither Russia or Prussia appear on this list; but how many in return have disappeared, and of

* Day's "Ord on Usury." Condy's "Marshall on Insurance." Story's "Abbott on Shipping." Ingersoll's "Roccus," and Duponceau's "Bynkershoek."

those that remain, how have they changed rank and importance! Of the papal court, that thus dictated to others, what are we to say now, unless it be what Antony said over the inanimate body of Cæsar,

"but yesterday His word might have been weigh'd 'gainst half the world:"

Now none so low as do him reverence!" Such is the mutability of human greatness.

Agents for the Weekly Register.

Being often requested to publish the names of the gentlemen who have kindly consented to act as agents for the WEEKLY REGISTER, in their respective cities, towns or neighborhoods—and considering this supplementary number as my own property, a free will offering to the liberality of the public, in which I have a right to insert the list, having some resemblance to an advertisement though immediately connected with the business of the paper; I embrace this occasion to thank the undernamed for the honor they have conferred upon me in so generously aiding my work, and to make known to the public that they are authorised to receive (and will transmit to me) the names of new subscribers; and also on my account, to receive monies due from persons desirous of discontinuing the paper at or before the publication of the 13th number, as by the terms of the prospectus every gentleman is left at perfect liberty to do;—making out their accounts at the rate of \$5 per annum, or for 52 numbers, and at the same time giving me notice thereof.—At the regular period of payment, to secure harmony to the system adopted, the proper receipted bills will be forwarded.

* The list of agents is by no means complete. In many places to which the WEEKLY REGISTER is sent I have not yet appointed regular agents. In such cases, the editor politely requests the post-masters to act for *him* as above; apprehending, for any service they may be pleased to render him, they will have no reason to complain of his illiberality or want of gratitude. When need requires an additional list of agents will be published for the information of the friends of the REGISTER; as well to take in omissions in the following (if any there are) as to give notice of new appointments.

* While on this subject the editor begs leave to observe—that, to individuals the amount of the postage of their letters is a mere trifle, but to him, in the aggregate a heavy expence. It gives him pleasure to say—for he considers it a mark of respect—that the letters to him have generally been post paid, though some from inattention, it is presumed, have omitted to conform to the "common law" in the case, built upon usage, and sanctioned by "immemorial" custom!

H. NILES.

IN NEW-HAMPSHIRE. At *Hanover*, Mr. George T. Wright. *Concord*, the editor of the Patriot.

IN MASSACHUSETTS. At *Boston*, the editors of the Patriot. *Salem*, the editor of the Essex Register. *Beverly*, F. Plumer, esq. post-master.

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IN UPPER LOUISIANA. At *St. Louis*, Rufus Easton, esq. P. M.

IN INDIANA. At *Kaskaskia*, William Arundle, esq. P. M.

THE WEEKLY REGISTER.

Vol. 1.]

AN ADDITIONAL SUPPLEMENT TO No. 10.

"I wish no other herald,
"No other speaker of my living actions,
"To keep mine honor from corruption
"But such an honest chronicler."

Shakspeare—HENRY VIII.

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Public Documents.

ORDERS IN COUNCIL—CONTINUED FROM PAGE 163.
MR. FOSTER TO MR. MONROE.

Washington, July 24th, 1811.

Sir—Having been unable to ascertain distinctly from your letter to me of yesterday's date, whether it was the determination of the president to rest satisfied with the partial repeal of the Berlin and Milan decrees, which you believe has taken place, so as to see no reason in the conduct of France for altering the relations between this country and Great Britain by exercising his power of suspending the operation of the non-importation act, allow me to repeat my question to you on this point as contained in my letter of the 14th instant, before I proceed to make any comments on your answer.

I have the honor to be, with distinguished consideration, sir, your most obedient humble servant,
AUG. J. FOSTER.

MR. FOSTER TO MR. MONROE.

Washington, July 26th, 1811.

Sir—I have had the honor to receive your letter of July 23, in answer to mine of the 3d and 14th instant, which you will permit me to say were not merely relative to his majesty's orders in council, and the blockade of May, 1806, but also to the president's proclamation of last November, and to the consequent act of congress of March 2, as well as to the just complaints which his royal highness the prince regent had commanded me to make to your government with respect to the proclamation and to that act.

If the United States' government had expected that I should have made communications which would have enabled them to come to an accommodation with Great Britain on the ground on which alone you say it was possible to meet us, and that you mean by that expression a departure from our system of defence against the new kind of warfare still practised by France, I am at a loss to discover from what source they could have derived those expectations, certainly not from the correspondence between the marquis Wellesley and Mr. Pinkney.

Before I proceed to reply to the arguments which are brought forward by you to shew that the decrees of Berlin and Milan are repealed, I must first enter into an explanation

upon some points on which you have evidently misapprehended, for I will not suppose you could have wished to misinterpret my meaning.

And first in regard to the blockade of May 1806, I must avow that I am wholly at a loss to find out from what part of my letter it is that the president has drawn the *unqualified* inference that should the orders in council of 1807 be revoked, the blockade of May 1806, would cease with them. It is most material that on this point no mistake should exist between us. From your letter it would appear as if on the question of blockade which America had so unexpectedly connected with her demand for a repeal of our orders in council, Great Britain had made the concession required of her; as if, after all that has passed on the subject, after the astonishment and regret of his majesty's government at the United States' having taken up the view which the French government presented of our just and legitimate principles of blockade which are exemplified in the blockade of May 1806, the whole ground taken by his majesty's government was at once abandoned.—When I had the honor to exhibit to you my instructions, and to draw up as I conceived according to your wishes and those of the president, a statement of the mode in which that blockade would probably disappear, I never meant to authorise such a conclusion, and I now beg most unequivocally to disclaim it.—The blockade of May 1806, will not continue after the repeal of the orders in council, unless his majesty's government shall think fit to sustain it by the special application of a sufficient naval force, and the fact of its being so continued or not, will be notified at the time. If in this view of the matter, which is certainly presented in a conciliatory spirit, one of the obstacles to a complete understanding between our countries can be removed by the United States' government waving all further reference to that blockade, when they can be justified in asking a repeal of the orders, and I may communicate this to my government, it will undoubtedly be very satisfactory; but I beg distinctly to disavow having made any acknowledgment that the blockade would cease merely in consequence of a revocation of the orders in council; whenever it does cease, it will cease because there will be no adequate force applied to maintain it.

On another very material point, sir, you appear to have misconstrued my words; for in no one passage of my letter can I discover any mention of innovations on the part of Great Britain such as you say excited a painful surprise in your government. There is no new pretensions set up by his majesty's government. In answer to questions of yours as to what were the decrees or regulations of France which Great Britain complained of, and against which she directs her retaliatory measures, I brought distinctly into your view the Berlin and Milan decrees, and you have not denied, because, indeed, you could not, that the provisions of those decrees were new measures of war on the part of France, acknowledged as such by her ruler, and contrary to the principles and usages of civilized nations. That the present war has been oppressive beyond example by its duration, and the desolation it spreads through Europe I willingly agree with you, but the United States cannot surely mean to attribute the cause to Great Britain. The question between Great Britain and France, is that of an honorable struggle against the lawless efforts of an ambitious tyrant, and America can but have the wish of every independent nation as to its result.

On a third point, sir, I have also to regret that any meaning should have been mistaken. Great Britain never contended that British merchant vessels should be allowed to trade with her enemies, or that British property should be allowed entry into their ports, as you would infer; such a pretension would indeed be preposterous; but Great Britain does contend against the system of terror put in practice by France, by which, usurping authority wherever her arms or the timidity of nations will enable her to extend her influence, she makes it a crime to neutral countries as well as individuals that they should possess articles however acquired which may have been once the produce of English industry or of the British soil. Against such an abominable and extravagant pretension every feeling must revolt, and the honor no less than the interest of Great Britain engages her to oppose it.

Turning to the course of argument contained in your letter, allow me to express my surprise at the conclusion you draw in considering the question of priority relative to the French decrees or British orders in council. It was clearly proved that the blockade of May 1806, was maintained by an adequate naval force, and therefore was a blockade founded on just and legitimate principles, and I have not heard that it was considered in a contrary light when notified as such to you by Mr. Secretary Fox, nor until it suited the views of France to endeavor to have it considered otherwise. Why America took up

the view the French government chose to give of it, and could see in it grounds for the French decrees was always matter of astonishment in England.

Your remarks on the modifications at various times of our system of retaliation will require the less reply from the circumstances of the orders in council of April 1809, having superceded them all. They were calculated for the avowed purpose of softening the effect of the original orders on neutral commerce, the incidental effect of those orders on neutrals having been always sincerely regretted by his majesty's government; but when it was found that neutrals objected to them they were removed.

As to the principle of retaliation, it is founded on the just and natural right of self defence against our enemy; if France is unable to enforce her decrees on the ocean, it is not from the want of will, for she enforces them wherever she can do it; her threats are only empty where her power is of no avail.

In the view you have taken of the conduct of America in her relations with the two belligerents, and in the conclusion you draw with respect to the impartiality of your country as exemplified in the non-importation law, I lament to say I cannot agree with you.—That act is a direct measure against the British trade, enacted at a time when all the legal authorities in the United States appeared ready to contest the statement of a repeal of the French decrees, on which was founded the president's proclamation of November 2d, and consequently to dispute the justice of the proclamation itself.

You urge, sir, that the British government promised to proceed *pari passu* with France in the repeal of her edicts. It is to be wished you could point out to us any step France has taken in the repeal of hers. Great Britain has repeatedly declared that she would repeal when the French did so, and she means to keep to that declaration.

I have stated to you that we could not consider the letter of August 5, declaring the repeal of the French edicts provided we revoked our orders in council, or America resented our not doing so, as a step of that nature; and the French government knew that we could not; their object was evidently while their system was adhered to in all its rigour, to endeavor to persuade the American government that they had relaxed from it, and to induce her to proceed in enforcing the submission of Great Britain to the inordinate demands of France. It is to be lamented that they have but too well succeeded; for the United States' government appear to have considered the French declaration in the sense in which France wished it to be taken, as an absolute repeal of her decrees without adverting to the conditional terms which accompanied it.

But you assert that no violations of your neutral rights by France occur on the high seas, and that those were all the violations alluded to in the act of congress of May 1810. I readily believe indeed that such cases are rare, but it is owing to the preponderance of the British navy that they are so, when scarce a ship under the French flag can venture to sea without being taken, it is not extraordinary that they make no captures. If such violations alone were in the purview of your law, there would seem to have been no necessity for its enactment. The British navy might have been safely trusted for the prevention of this occurrence. But I have always believed, and my government has believed that the American legislature had in view in the provisions of their law as it respects France not only her deeds of violence on the seas, but all the novel and extraordinary pretensions and practices of her government which infringed their neutral rights.

We have had no evidence as yet of any of those pretensions being abandoned. To the ambiguous declaration in Mr. Champagny's note is opposed the unambiguous and personal declaration of Bonaparte himself. You urge that there is nothing incompatible with the revocation of the decrees in respect to the United States in his expressions to the deputies from the free cities of Hamburg, Bremen and Lübeck, that it is distinctly stated in that speech that the blockade of the British islands shall cease when the British blockades cease, and that the French blockade shall cease in favor of those nations in whose favor Great Britain revokes hers, or who support their rights against her pretensions.

It is to be inferred from this and the corresponding parts of the declaration alluded to that unless Great Britain sacrifices her principles of blockade which are those authorised by the established laws of nations, France will still maintain her decrees of Berlin and Milan, which indeed the speech in question declares to be the fundamental laws of the French empire.

I do not, I confess, conceive how these avowals of the ruler of France can be said to be compatible with the repeal of his decrees in respect to the United States. If the United States are prepared to insist on the sacrifice by Great Britain of the ancient and established rules of maritime war practised by her, then indeed they may avoid the operation of the French decrees, but otherwise according to this document it is very clear that they are still subjected to them.

The decree of Fontainebleau is confessedly founded on the decrees of Berlin and Milan, dated the 19th of October, 1810, and proves their continued existence. The report of the French minister of December 8, announcing the perseverance of France in her decrees is

still further in confirmation of them, and a re-perusal of the letter of the minister of justice, of the 25th last December, confirms me in the inference I drew from it, for otherwise why should that minister make the prospective restoration of American vessels, taken after the first November, to be a consequence of the non-importation and not of the French revocation. If the French government had been sincere, they would have ceased infringing on the neutral rights of America, after the first November:—That they violated them, however, after that period is notorious.

Your government seem to let it be understood that an ambiguous declaration from Great Britain, similar to that of the French minister, would have been acceptable to them. But, sir, is it consistent with the dignity of a nation that respects itself, to speak in ambiguous language? The subjects and citizens of either country would in the end be the victims, as many are already in all probability, who from a misconstruction of the meaning of the French government, have been led into the most imprudent speculations. Such conduct would not be to proceed *pari passu* with France in revoking our edicts; but to descend to the use of the perfidious and juggling contrivances of her cabinet, by which she fills her coffers at the expence of independent nations. A similar construction of proceeding *pari passu*, might lead to such decrees as those of Rambouillet, or of Bayonne, to the system of exclusion or of licences, all measures of France against the American commerce, in nothing short of absolute hostility.

It is urged that no vessel has been condemned by the tribunals of France on the principles of her decrees since the first November. You allow, however, that there have been some detained since that period, and that such part of the cargoes as consisted of goods, not the produce of America, was seized, and the other part, together with the vessel itself, only released after the president's proclamation became known in France: These circumstances surely only prove the difficulty, that France is under in reconciling her anti-commercial and anti-neutral system, with her desire to express her satisfaction at the measures taken in America against the commerce of Great Britain. She seizes in virtue of the Berlin and Milan decrees, but she makes a partial restoration for the purpose of deceiving America.

I have now followed you, I believe, sir, through the whole range of your argument, and on reviewing the course of it, I think I may securely say that no satisfactory proof has as yet been brought forward of the repeal of the obnoxious decrees of France, but on the contrary that it appears they continue in full force, consequently that no grounds exist on which you can with justice demand of

Great Britain a revocation of her orders in council;—that we have a right to complain of the conduct of the American government in enforcing the provisions of the act of May, 1810, to the exclusion of the British trade, and afterwards in obtaining a special law for the same purpose though it was notorious at the time that France still continued her aggressions upon American commerce, and had recently promulgated anew her decrees, suffering no trade from this country, but through licences publicly sold by her agents, and that all the suppositions you have formed of innovations on the part of Great Britain or of her pretensions to trade with her enemies are wholly groundless. I have also stated to you the view his majesty's government has taken of the question of the blockade of May, 1806, and it now only remains that I urge afresh the injustice of the United States' government persevering in their union with the French system for the purpose of crushing the commerce of Great Britain.

From every consideration which equity, good policy or interest can suggest, there appears to be such a call upon America to give up this system which favors France to the injury of Great Britain; that I cannot, however little satisfactory your communications are, as yet abandon all hopes that even before the congress meet, a new view may be taken of the subject by the president, which will lead to a more happy result.

I have the honor to be, with very high consideration and respect, sir, your most obedient humble servant. AUG. J. FOSTER.
To the hon. James Monroe, &c. &c. &c.

MR. MONROE TO MR. FOSTER.

Department of State, 27th July, 1811.

Sir—I had the honor to receive your letter of yesterday's date, in time to submit it to the view of the president before he left town.

It was my object to state to you in my letter of the 23d inst. that under existing circumstances, it was impossible for the president to terminate the operation of the non-importation law of the 2d of March last: that France having accepted the proposition made by a previous law equally to Great Britain and to France; and having revoked her decrees, violating our neutral rights, and Great Britain having declined to revoke hers, it became the duty of this government to fulfil its engagement and to declare the non-importation law in force against Great Britain.

This state of affairs has not been sought by the United States. When the proposition contained in the law of May 1st, 1810, was offered equally to both powers there was cause to presume that Great Britain would have accepted it, in which event the non-importation law would not have operated against her.

It is in the power of the British government, at this time to enable the president to set the non-importation law aside by rendering to the United States an act of justice. If Great Britain will cease to violate their neutral rights by revoking her orders in council, on which event alone the president has the power, I am instructed to inform you that he will, without delay, exercise it by terminating the operation of this law.

It is presumed that the communications which I have had the honor to make to you, of the revocation by France of her decrees, so far as they violated the neutral rights of the United States, and of her conduct since the revocation, will present to your government a different view of the subject from that which it had before taken, and produce in its councils a correspondent effect.

I have the honor to be, &c.

(Signed) JAS. MONROE.

Augustus J. Foster, Esq. &c. &c. &c.

MR. MONROE TO MR. FOSTER.

Department of State, Oct. 1, 1811.

Sir—I have had the honor to receive your letter of the 26th of July, and to submit it to the view of the president.

In answering that letter, it is proper that I should notice a complaint that I had omitted to reply in mine of the 23d of July, to your remonstrance against the proclamation of the president of November last, and to the demand which you had made, by the order of your government of the repeal of the non-importation act of March 2d of the present year.

My letter has certainly not merited this imputation.

Having shewn the injustice of the British government in issuing the orders in council on the pretext assigned, and its still greater injustice in adhering to them after that pretext had failed, a respect for Great Britain, as well as for the United States, prevented my placing in the strong light in which the subject naturally presented itself, the remonstrance alluded to, and the extraordinary demand founded on it, that while your government accommodated in nothing, the United States should relinquish the ground, which by a just regard to the public rights and honor, they had been compelled to take. Propositions tending to degrade a nation can never be brought into discussion by a government not prepared to submit to the degradation. It was for this reason that I confined my reply to those passages in your letter, which involved the claim of the United States, on the principles of justice, to the revocation of the orders in council. Your demand, however, was neither unnoticed or unanswered. In laying before you the complete, and as was believed, irresistible proof on which the United States expected, and called for the revocation

of the orders in council, a very explicit answer was supposed to be given to that demand.

Equally unfounded is your complaint that I misunderstood that passage which claimed, as a condition of the revocation of the orders in council, that the trade of Great Britain with the continent should be restored to the state in which it was before the Berlin and Milan decrees were issued. As this pretension was novel and extraordinary, it was necessary that a distinct idea should be formed of it, and, with that view, I asked such an explanation as would enable me to form one.

In the explanation given, you do not insist on the right to trade in British property, with British vessels, directly with your enemies. Such a claim, you admit, would be preposterous. But you do insist by necessary implication, that France has no right to inhibit the importation into her ports of British manufactures, or the produce of the British soil, when the property of neutrals; and that, until France removes that inhibition, the United States are to be cut off by Great Britain from all trade whatever with her enemies.

On such a pretension it is almost impossible to reason. There is, I believe, no example of it in the history of past wars. Great Britain, the enemy of France, undertakes to regulate the trade of France; nor is that all, she tells her that she must trade in British goods. If France and Great Britain were at peace, this pretension would not be set up, nor even thought of. Has Great Britain then acquired in this respect, by war, rights which she has not in peace? And does she announce to neutral nations, that unless they consent to become the instruments of this policy, their commerce shall be annihilated, and their vessels shall be shut up in their own ports.

I might ask whether French goods are admitted into Great Britain, even in peace, and if they are, whether it be of right, or by the consent and policy of the British government?

That the property would be neutralized does not affect the question. If the United States have no right to carry their own productions into France without the consent of the French government, how can they undertake to carry there those of Great Britain? In all cases it must depend on the interest and the will of the party.

Nor is it material to what extent, or by what powers, the trade to the continent is prohibited. If the powers who prohibit it, are at war with Great Britain, the prohibition is a necessary consequence of that state. If at peace, it is their own act; and whether it be voluntary or compulsive, they alone are answerable for it. If the act be taken at the instigation and under the influence of France, the most that can be said, is, that it justifies reprisal against them, by a similar measure. On no principle whatever can it be said to

give any sanction to the conduct of Great Britain towards neutral nations.

The United States can have no objection to the employment of their commercial capital in the supply of France, and of the continent generally, with manufactures, and to comprise in the supply those of Great Britain, provided those powers will consent to it. But they cannot undertake to force such supplies on France or on any other power, in compliance with the claim of the British government, on principles incompatible with the rights of every independent nation, and they will not demand in favor of another power, what they cannot claim for themselves.

All that Great Britain could with reason complain of, was the inhibition by the French decrees, of the lawful trade of neutrals with the British dominions. As soon as that inhibition ceased, her inhibition of our trade with France ought in like manner to have ceased. Having pledged herself to proceed *pari passu* with France, in the revocation of their respective acts violating neutral rights, it has afforded just cause of complaint, and even of astonishment, to the United States, that the British government should have sanctioned the seizure and condemnation of American vessels under the orders in council, after the revocation of the French decrees was announced, and even in the very moment when your mission, avowed to be conciliatory, was to have its effect.

I will only add that had it appeared finally, that France had failed to perform her engagement, it might at least have been expected, that Great Britain would not have molested such of the vessels of the United States as might be entering the ports of France, on the faith of both governments, till that failure was clearly proved.

To many insinuations in your letter I make no reply, because they sufficiently suggest the only one that would be proper.

If it were necessary to dwell on the impartiality which has been observed by the United States towards the two belligerents, I might ask, whether if Great Britain had accepted the condition which was offered equally to her and France, by the act of May 1st, 1810, and France had rejected it, there is cause to doubt that the non-importation act would have been carried into effect against France? No such doubt can possibly exist, because in a former instance, when this government, trusting to a fulfilment by yours of an arrangement which put an end to a non-intercourse with Great Britain, the non-intercourse was continued against France, who had not then repealed her decrees as it was not doubted England had done. Has it not been repeatedly declared to your government, that if Great Britain would revoke her orders in council, the president would immediately

cause the non-importation to cease? You well know that the same declaration has often been made to yourself, and that nothing more is wanting to the removal of the existing obstructions to the commerce between the two countries, than a satisfactory assurance, which will be received with pleasure from yourself, that the orders in council are at an end.

By the remark in your letter of the third of July, that the blockade of May, 1806, had been included in the more comprehensive system of the orders in council of the following year, and that, if that blockade should be continued in force after the repeal of the orders in council, it would be in consequence of the special application of a sufficient naval force, I could not but infer your idea to be, that the repeal of the orders in council would necessarily involve the repeal of the blockade of May. I was the more readily induced to make this inference, from the consideration that if the blockade was not revoked by the repeal of the orders in council, there would be no necessity for giving notice that it would be continued; as by the further consideration, that according to the decision of your court of admiralty, a blockade instituted by proclamation does not cease by the removal of the force applied to it, nor without a formal notice by the government to that effect.

It is not, however, wished to discuss any question relative to the mode by which that blockade may be terminated. Its actual termination is the material object for consideration.

It is easy to shew, and it has already been abundantly shewn, that the blockade of May, 1806, is inconsistent on any view that may be taken of it with the law of nations. It is also easy to shew that, as now expounded, it is equally inconsistent with the sense of your government, when the order was issued; and this change is a sufficient reply to the remarks which you have applied to me personally.

If you will examine the order, you will find that it is strictly little more than a blockade of the coast from the Seine to Ostend. There is an express reservation in it in favor of neutrals to any part of the coast between Brest and the Seine, and between Ostend and the Elbe. Neutral powers are permitted by it to take from their own ports every kind of produce without distinction as to its origin, to carry it to the continent under that limitation, and with the exception only of contraband of war and enemy's property, and to bring thence to their own ports in return, whatever articles they think fit. Why were contraband of war and enemy's property excepted, if a commerce even in those articles would not otherwise have been permitted under the reservation? No order was necessary to subject them to seizure. They were liable to it by the law of nations.

Why then did the British government in-

stitute a blockade which with respect to neutrals was not rigorous as to the greater part of the coast comprised in it? If you will look to the state of things which then existed between the United States and Great Britain, you will find the answer. A controversy had taken place between our governments on a different topic, which was still depending. The British government had interfered with the trade between France and her allies in the produce of their colonies. The just claim of the United States was then a subject of negotiation; and your government professing its willingness to make a satisfactory arrangement of it, issued the order which allowed the trade, without making any concession as to the principle, reserving that for adjustment by treaty. It was in this light that I viewed, and in this sense that I represented that order to my government; and in no other did I make any comment on it.

When you reflect that this order by allowing the trade of neutrals, in colonial productions, to all that portion of the coast which was not rigorously blockaded afforded to the United States an accommodation in a principal point then at issue between our governments, and of which their citizens extensively availed themselves that that trade and the question of blockade, and every other question in which the United States and Great Britain were interested, were then in a train of amicable negotiation, you will, I think, see the cause why the minister who then represented the United States with the British government did not make a formal complaint against it. You have appealed to me, who happened to be that minister, and urged my silence as an evidence of my approbation of, or at least acquiescence in the blockade. An explanation of the cause of that supposed silence is not less due to myself, than to the true character of the transaction with the minister with whom I had the honor to treat. I may add, that an official formal complaint was not likely to be resorted to, because friendly communications were invited and preferred. The want of such a document is no proof that the measure was approved by me, or that no complaint was made. In recalling to my mind as this incident naturally does, the manly character of that distinguished and illustrious statesman, and the confidence with which he inspired all those with whom he had to treat, I shall be permitted to express, as a slight tribute of respect to his memory, the very high consideration in which I have always held his great talents and virtues.

The United States have not nor can they approve the blockade of an extensive coast. Nothing certainly can be inferred from any thing that has passed relative to the blockade of May, 1806, to countenance such an inference.

It is seen with satisfaction that you still admit that the application of an adequate force is necessary to give a blockade a legal character, and that it will lose that character whenever that adequate force ceases to be applied. As it cannot be alleged that the application of any such adequate force has been continued, and actually exists in the case of the blockade of May 1806, it would seem to be a fair inference that the repeal of the orders in council will leave no insuperable difficulty with respect to it. To suppose the contrary, would be to suppose that the orders in council said to include that blockade, resting themselves on a principle of retaliation only, and not sustained by the application of an adequate force, would have the effect of sustaining a blockade admitted to require the application of an adequate force, until such adequate force should actually take the place of the orders in council. Whenever any blockade is instituted, it will be a subject for consideration, and if the blockade be in conformity to the law of nations, there will be no disposition in this government to contest it.

I have the honor to be, &c.

(Signed) JAS. MONROE.
Aug. J. Foster, Esq. &c. &c. &c.

MR. MONROE TO MR. FOSTER.

Department of State, Oct. 17, 1811.

SIR—I have the honor to communicate to you a copy of two letters from the charge des affaires of the United States at Paris, to their charge des affaires at London, and a copy of a correspondence of the latter with the marquis of Wellesley on the subject. By this it will be seen, that Mr. Smith was informed by the marquis of Wellesley, that we should transmit to you a copy of the communication from Paris, that it might have full consideration in the discussions depending here.

Although an immediate repeal was to have been expected from your government, on the receipt of this communication, if the new proof which it affords of the French repeal was satisfactory, yet it will be very agreeable to learn that you are now authorised to concur in an arrangement that will terminate both the orders in council and the non-importation act.

P. S. Hearing that you will not be in town for several days, this letter, and one bearing date on the first of this month, which I had prepared and intended to deliver to you on my return here, are forwarded by a special messenger. I have the honor to be, &c.

(Signed) JAS. MONROE.
Augustus J. Foster, Esq. &c. &c.

MR. RUSSELL TO MR. J. S. SMITH.

Paris, 5th July 1811.

SIR—I observe by your letter of the 7th ult. your solicitude to obtain evidence of the revocation of the Berlin and Milan decrees.

On the 5th of August last the duke of Cadore announced to general Armstrong, that these decrees were revoked, and that they would cease to operate on the first of November. Since the first of November these decrees have not, to my knowledge, in any instance, been executed to the prejudice of American property arriving since that time. On the contrary the Grace Ann Green, coming clearly within the penal terms of those decrees, had they continued in force, was liberated in December last, and her cargo admitted in April. This vessel had indeed been taken by the English and retaken from them; but as this circumstance is not assigned here as the cause of the liberation of this property, it ought not to be presumed to have operated alone as such.

Whatever special reasons may be supposed for the release of the Grace Ann Green, that of the New Orleans Packet must have resulted from the revocation of the French edicts.

The New Orleans Packet had been boarded by two English vessels of war, and had been some time at an English port, and thus doubly transgressed against the decrees of Milan.—On arriving at Bordeaux, she was in fact seized by the director of the customs, and these very transgressions expressly assigned as the cause of seizure. When I was informed of this precipitate act of the officer at Bordeaux, I remonstrated against it on the sole ground that the decrees, under which it was made, had been revoked. This remonstrance was heard. All further proceedings against the New Orleans Packet were arrested, and on the 9th of January, both the vessel and the cargo were ordered to be placed at the disposition of the owners on giving bond. This bond has since been cancelled by an order of the government and thus the liberation of the property perfected. The New Orleans Packet has been some time waiting in the Garonne, with her return cargo on board, for an opportunity only of escaping the English orders in council.

I know of no other American vessels arrived voluntarily in the empire of France or the kingdom of Italy, since the first of November, to which the decrees of Berlin and Milan could be applied.

I am, sir, very respectfully, your obedient servant, (Signed) JONA. RUSSELL.

J. S. Smith, Esq. Charge des Affaires, London.

MR. RUSSELL TO MR. SMITH.

Paris, 14th July, 1811.

SIR—I had the honor to address to you, on the 5th instant, a brief account of the Grace Ann Green and of the New Orleans Packet. The proof of which these cases furnish especially the latter, ought, when unopposed, as it is, by any conflicting circumstance, to be considered as conclusive. In addition however to their existence, I have now the satisfac-

tion to communicate to you the liberation of the Two Brothers, the Good Intent and the Star, three American vessels captured since the first of November, and brought into this empire or into ports under its control. I should have no doubt been able to have announced the release, by one general decision, of every American captured since that period, if the only enquiry were whether or not they had violated the Berlin and Milan decrees.—Unfortunately, however, the practices of late years render the question of property extremely difficult to be satisfactorily decided amidst the false papers and false oaths; after the most minute and tedious investigation, it often remains doubtful whether this property belongs to a neutral or an enemy. The time employed in this investigation has surely no connection with the Berlin and Milan decrees, and cannot be considered as evidence of their continuance.

It is possible that these decrees may be kept in force in their municipal character, and be applied for the confiscation of English merchandize on the continent—and to prevent their performing this function does not appear to be a concern of the United States, nor can the measure adopted in retaliation of it, on the part of England, be justly extended beyond its limits and made to reach an unoffending neutral power, which the act of her enemy does not affect.

It is sufficient for us that the Berlin and Milan decrees have ceased to be executed on the high seas, and if the orders in council still continue to operate there, they surely are not supported by any principle of the law of retaliation, but must be considered as a simple and unqualified violation of our neutral and national rights.

The proof now before you of the revocation of the Berlin and Milan decrees consists in the precise and formal declarations of this government, in its discontinuance to execute them to our prejudice in a single instance; in its having exempted from their operation every vessel arriving spontaneously since the first of November, to which they could be applied; and every vessel forcibly brought in since that time on which there has been a decision. After such evidence, to pretend to doubt of their revocation with regard to us would seem to be the result of something more than mere incredulity.

With much respect, &c.

JONA. RUSSEL.

LORD WELLESLEY TO MR. JOHN S. SMITH.

Foreign Office, August 14, 1811.

SIR—Since the date of my last letter, I have the honor to inform you, that I have received a letter from Mr. Foster, his majesty's minister in America, by which it appears that he had actually commenced a negotiation

with the government of the United States, respecting the British orders in council. His dispatches containing the particulars of the negotiation have not yet reached me: Under these circumstances I have transmitted a copy of your letter, together with its enclosure, to Mr. Foster, in order that those documents may receive full consideration in the progress of the discussions, now depending in America. I have the honor to be, &c.

(Signed)

WELLESLEY.

MR. FOSTER TO MR. MONROE.

Washington, Oct. 22, 1811.

I had the honor to receive your letter of the 17th instant, together with its three enclosures, on the road between Baltimore and this city; I had that of receiving at the same time your letter dated October 1, in answer to mine of the 26th of last July.

Not having had any dispatches from his majesty's government lately, I have not yet received the copy of the recent communication from Paris in regard to the supposed repeal of the French decrees which the charge d'affaires of the United States at London has intimated to you that he understood the marquis Wellesley intended to transmit to me, and which I conclude is the same as that contained in the letter of Mr. Russel, the American charge d'affaires in France. I am however in daily expectation of the arrival of his majesty's packet boat, when it will in all probability reach me, and when if I should receive any fresh instructions in consequence I will not fail immediately to acquaint you. In the meanwhile however I beg you will permit me to make some remarks in reply to your letter of October 1, being extremely anxious to do away the impression which you seem to have received relative to the demand I had made for the repeal of the non-importation act of the present year.

It is, I assure you, sir, with very great regret that I find you consider that demand as involving in any degree propositions tending to degrade your nation. Such an idea certainly never existed with his majesty's government, nor would it be compatible with the friendly sentiments entertained by them for the United States, neither could I have suffered myself to be the channel of conveying a demand which I thought had such a tendency. However you view the demand made on the part of Great Britain, I can safely say that it was made in consequence of its appearing to his majesty's government on strong evidence that the chief of the French nation had really deceived America as to the repeal of his decrees, and in the hopes that the United States' government would therefore see the justice of replacing this country on its former footing of amicable relations

SEE NO. 11 FOR CONTINUATION.