

# THE WEEKLY REGISTER.

[Vol. I.]

BALTIMORE, SATURDAY, NOVEMBER 23, 1811.

[No. 12.]

"——— 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,

CONTINUED FROM SUPPLEMENT TO NO 11.

seizure of much innocent property, and at the same time appear to falsify the lawful acts of the consuls and the official declaration of the minister of France in the United States.

I beg leave to renew to your excellency the assurances, &c. &c.

(Signed)

JONATHAN RUSSEL.

MR. RUSSEL TO MR. SMITH.

Paris, 27th May, 1811.

SIR—By the first opportunity which presented itself after the admission of our vessels on the 4th of May, I communicated this event to the American charge d' affaires at London, in hopes that it might be useful there. The enclosed is a copy of the note which I addressed him on the occasion.

I am, &c. &c.

(Signed)

JONATHAN RUSSEL.

The hon. Robert Smith,

Secretary of state of the United States.

COPY OF A LETTER FROM MR. RUSSEL TO MR. SMITH CHARGE D'AFFAIRES, &c. &c. &c.

Paris, 10th May, 1811.

I hand you herewith, the copy of a letter to me from his excellency the duke of Bassano, dated the 4th instant, and enclosing a list of the American vessels whose cargoes have been admitted by order of the emperor.

As this list contains all the American vessels except one only whose papers were mislaid, which have arrived spontaneously in the ports of France, since the first of November last, which had not already been admitted—the measure adopted by this government, may perhaps be considered to be of a general character, and a consequence of the actual relations between the two countries; growing out of the revocation of the Berlin and Milan decrees, so far as they violated the neutral rights of the United States.

I am, sir, with great consideration, &c. &c.

(Signed)

JONA. RUSSEL.

John S. Smith, Esq. &c. &c.

MR. RUSSEL TO THE SECRETARY OF STATE.

Paris, 9th June, 1811.

SIR—The case of the New-Orleans Packet having apparently excited considerable interest, it may not be unacceptable to you to receive a more particular account of it than I have hitherto transmitted.

This vessel owned by Mr. Alexander Ruden of New York, left that place on the 25th of July,

\* See this copy in the enclosures of Mr. Russel's letter 10th July, which will be found in a subsequent part of this correspondence.

with a clearance for Lisbon, but actually destined for Gibraltar. Her cargo, likewise the property of Mr. Ruden, consisted of 207 whole tierces and 31 half tierces of rice, 330 bags of Surinam cocoa, 10 hogsheads of tobacco, 6 tierces of hams, 50 barrels of pork, 60 barrels of beef, 200 barrels of flour, 30 tierces of beans and 64 firkins of butter. On her passage to Gibraltar she was boarded by an English frigate and an English schooner, and after a short detention allowed to proceed. On arriving at Gibraltar, the 26th of August, Mr. Munro, the supercargo, proceeded to sell the cargo, and actually disposed of the flour, the beans and the butter, when about the 20th of September a packet arrived there from England, bringing newspapers containing the publication of the letter from the duke of Cadore of the 5th of August. On the receipt of this intelligence Mr. Munro immediately suspended his sales, and after having consulted with Mr. Hackley, the American consul at Cadiz, he determined to proceed with the remainder of his cargo to Bordeaux. He remained, however, at Gibraltar until the 22d of October, that he might not arrive in France before the 1st of November, the day on which the Berlin and Milan decrees were to cease to operate. He arrived in the Garonne on the 14th of November, but by reason of this quarantine did not reach Bordeaux before the 3d of December. On the 5th of this month the director of the customs there, seized the New-Orleans Packet and her cargo under the Milan decrees of the 23d November and 17th December 1807, expressly set forth, for having come from an English port and for having been visited by an English vessel of war. These facts having been stated to me by Mr. Munro, or by Mr. Meyer, the American vice consul at Bordeaux and the principal one, that of the seizure under the Milan decrees, being established by the process verbal put into my hands by Mr. Martini, one of the consignees of the cargo, I conceived it to be my duty not to suffer the transaction to pass unnoticed and thereby permit it to grow into a violation of the engagements of this government. While I was considering the most proper mode of bringing the conduct of the custom house officer at the port under the eyes of his superiors, I learnt of the arrival of the Essex, at L'Orient. From the time at which this frigate was reported to have left the United States, I had no doubt that she had brought the proclamation of the president, announcing the revocation of the very decrees under which this precipitate seizure had been made. I could not but think, therefore, that it was important to afford to this government an opportunity of disavowing the conduct of its officer, so incompatible with the engagements on which the president had in all probability reposed with confidence, in season to shew that this confidence had not been mistimed or misplaced. To have waited for the receipt of the proclamation in order to make use of it for the liberation of the New Orleans Packet, appeared to me a preposterous and unworthy course of pro-

ceeding, and to be nothing better than absurdly and basely employing the declaration of the president that the Berlin and Milan decrees had been revoked, as the means of obtaining their revocation. I believed it became me to take higher ground, and without confining myself to the mode best calculated to recover the property, to pursue that which the dignity of the American government required.

A crisis in my opinion presented itself which was to decide whether the French edicts were retracted as a preliminary to the execution of our law, or whether by the non-performance of one party and the prompt performance of the other, the order in which these measures ought to stand was to be reversed, and the American government shuffled into the lead where national honor and the law required it to follow. Uncertain what would be the conduct of this government, but clear what it ought to be, I thought it politic to present briefly the honest construction of the terms in which the revocation of the decrees was communicated on the 5th of August, that the conditions might not be tortured into a pretext for continuing them. I believed this to be the more necessary, as no occasion had hitherto occurred of offering such an interpretation. I likewise supposed it to be desirable to take from this government, by a concise statement of facts, the power of imputing neglect to the United States, in performing the act required of them, for the purpose of finding in this neglect a color for again executing the decrees. These were my views in writing promptly and frankly on the occasion.

So acceptable indeed did I suppose it would be to the feelings of the American government to obtain at least an explanation of an act ostensibly proving the continued operation of the decrees, previous to communicating the proclamation of the president announcing their revocation, although I received this proclamation on the 13th of December, I deferred the communication of it to the Duke of Cadore until the 17th of that month, nor should I then have communicated it, had not an interview with him on the 15th led me to believe that much time might be necessary to procure official reports from the custom-house relative to the seizure in question, and that until these reports were received, it would be impossible formally to explain or correct this proceeding. When, however, I declined, uninstructed as I was, incurring the responsibility of this protracted delay, and decided on communicating the proclamation before a satisfactory explanation was received, I took care to guard against any misconception, by explicitly declaring at the outset that this proclamation "had been issued alone on the ground that the revocation of the Berlin and Milan decrees did not depend on any condition previously to be performed by the United States."

The custom house officers at Bordeaux commenced unloading the New-Orleans Packet on the 10th of December, and completed this work on the 20th of that month, as appears by their *procès-verbaux* of those dates. That of the 20th expressly declares that the confiscation of this property was to be pursued before the imperial council of prizes at Paris, according to the decrees of the 23d of November and 17th of December, 1807, or, in other words, the decrees of *Alton*. The decree of the 23d of March, or the Rambouillet decree, is also mentioned, but as I wrote my note of the 10th of December, with a view only to the letter of the Duke of Cadore, announcing the revocation of the Berlin and Milan decrees, and as the *procès-verbal* of

the 5th appears to have the application of the Rambouillet decree, as unnecessary, I took no notice of it.

On Monday, the 17th of December, my remonstrance was submitted to a council of commerce, and referred by it to the director general of the customs for his report. From this time all further proceedings against the New Orleans Packet were suspended. The papers were not transmitted to the council of prizes, nor a prosecution instituted before that tribunal for the confiscation of the property as was professedly the intention of the officers concerned in the seizure. This prosecution was not only abandoned, but on the 9th of January the vessel and cargo were placed at the disposition of the consignees on giving bond to pay the estimated amount, should it definitively be so decided. Nothing is now wanting to complete the liberation of the New-Orleans Packet and her cargo, but the cancelling of this bond.

It appears therefore that the remonstrance of the 10th of December arrested the proceeding complained of before it had assumed a definite character, or unequivocally become a breach of faith, and not only rescued the property from the seizure with which it had been visited, but, by procuring its admission, placed it in a situation more favorable than that of many other vessels and cargoes which continued to be held in a kind of *morte-mans* by the suspension of all proceedings with regard to them.

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

[Signed] JONA. RUSSEL.

James Monroe, Esq. &c. &c.

P. S. July 5. I have the satisfaction to announce to you, that since writing the above, an order has been given to cancel the bond, and a letter just received from the commercial agent of the United States at Bordeaux, informs me that it is actually cancelled.

MR. RUSSEL TO MR. MONROE.

Paris, 14th July 1811.

SIR—I have the honor to hand you herein a copy of my note of the 8th inst. to the Duke of Bassano, claiming the release of twenty-three American seamen stated to have been pressed into the French service at Dantzic and in its vicinity.—When I called on the Duke on the 9th, he acknowledged the receipt of this note, and said that he should immediately write to the minister of marine on the subject. In the conversation which I had with him yesterday, he informed me that he had performed this engagement, and that the minister of marine had replied, that no American citizens had been pressed by his orders; that the city of Dantzic had been required to furnish a certain number of seamen, and was alone responsible for the manner in which it had complied with this requisition. The Duke of Bassano also added, that my note had been laid before the emperor, and that his majesty had ordered, that on the arrival of the seamen from Dantzic at Antwerp, where they were expected yesterday, all that were American citizens should be discharged, and the city of Dantzic should be required to furnish others in their stead. From the solicitude which the Duke of Bassano evidently discovered to get rid of the imputation of having pressed our citizens, I doubt not every thing will be done in this affair to remove all cause of complaint. I am, &c. &c.

[Signed] JONA. RUSSEL.

The Secretary of State of the United States.

MR. RUSSEL TO THE DUKE OF BASSANO.

Paris, 8th July, 1811.

SIR—I have just received information by letter from J. W. Zubre, esq. who holds a commission as consul of the United States at Stettin, that on the 17th ult. twenty three American seamen passed that place under escort of a French guard to be put on board the ships of war at Antwerp. It is represented to me that these seamen had been forcibly pressed at Dantzic and other places on the Baltic by order of his excellency the minister of marine. In confirmation of this fact, I have a letter from captain Charles Pavne, of the American ship Atlantic, taken into Dantzic by a French cruiser, stating that twelve of his men, including his mate, had been pressed in this way at that place. These twelve men probably constitute a part of the twenty-three above mentioned.

It is my duty to engage your excellency to cause an enquiry to be had by the competent authority into these facts and to procure the release of all the seamen above mentioned, who are citizens of the United States. I pray your excellency to accept, &c.

(Signed)

JONA. RUSSEL.

*His excellency the duke of Bassano.*

*Extrait of a letter from Mr. Russell to the secretary of state of the United States, dated*

PARIS, 15th July. 1811.

On the 5th of that month [May] I received a note [No. 1.] from the duke of Bassano, dated the 4th, containing a list of sixteen American vessels whose cargoes had been admitted by order of the emperor. I immediately transmitted to you several copies of this communication, and I gave you on the 8th such an account [No. 1.] of the admitted cases as might aid you on forming a correct estimate of the political value of the measure adopted in their favor.

Although I was fully impressed with the importance of an early decision in favor of the captured vessels, none of which had been included in the list abovementioned, yet I deemed it proper to wait a few days before I made an application upon the subject. By this delay I gave the government here an opportunity of obtaining the necessary information concerning these cases, and of pursuing spontaneously the course which the relations between the two countries appeared to require. On the 11th, however, having learnt at the council of prizes, that no new order had been received there, I judged it my duty no longer to remain silent, lest this government should erroneously suppose that what had been done was completely satisfactory to the United States, and, construing my silence into an acquiescence in this opinion, neglect to do more. I therefore on that day addressed to the Duke of Bassano, my note [No. 3.] with a list of American vessels captured since the 1st of November. On the 16th, I learnt that he had laid this note, with a general report on it, before the emperor, but that his majesty declined taking any decision with regard to it before it had been submitted to a council of commerce. Unfortunately this council did not meet before the departure of the emperor for Cherbourg, and during his absence, and the festivals which succeeded it, there was no assemblage of this body.

Immediately on receiving the communication of the duke of Bassano of the fourth of May, I addressed him a note [No. 4.] concerning the brig Good Intent, detained at St. Andero. Although this vessel had in fact been captured, yet from the

peculiar circumstances of the case, I hoped that she should be placed on the same footing as those which had been admitted. The answer [No. 5.] which was returned by the duke of Bassano, dated the 25th and received the 28th, announced to me, however, that this affair must be carried before the council of prizes. Wishing to rescue this case from this inauspicious mode of proceeding, I again addressed him in relation to it, in a note [No. 6.] on the 2nd of June. If I could not obtain at once the restoration of this vessel, it was desirable, at least, that she should be committed to the benefit of the general measure, which I insinuated might be taken in favor of the captured class mentioned in my note of the 11th of May.

As in this note I have stated the case of the Good Intent to be analogous to those of the Hare and the John, it may be proper to explain to you both the points of resemblance and diversity, in order to reconcile this note with my declaration that no captured vessel was on the list of the fourth of May. The cases agree in the destination to places under the authority of France, and in the arrestation by launches in the service of the French government—they differ in the Hare and John having already before they were taken, arrived at the port, and within the territorial jurisdiction of the country to which they were bound, and the Good Intent having been taken without such jurisdiction, and conducted to a port to which she was not destined. The taking possession of the Hare and the John, may be considered then as a seizure in port, and that of the Good Intent as a capture on the high seas.

On perceiving that the schooner Friendship was not named in the list of admitted vessels, I caused enquiry to be made at the custom house concerning the cause of this omission. It was stated that her papers had been mislaid, but that search was making for them, and that when found, a report would immediately be made. I waited for this report until the 18th of May, but finding it had not been made, I conceived it might be useful, in order to accelerate it, and to render complete the admission of the entire class to which this case belonged, to attract towards the Friendship, the attention of the minister of foreign relations. With this view I presented to him my note (No. 7) of that date.

Having reflected much on the condition attached to the admission of the American cargoes, to export two thirds of the proceeds in silks, and being persuaded that the tendency of this restriction, added to the dangers of a vigilant blockade and to the exactions of an excessive tariff, was to annihilate all commercial intercourse between the two countries, I believed it would not be improper for me to offer to this government a few remarks on the subject. This I was the more inclined to do, as it was to be apprehended that this condition was not imposed as an expedient for temporary purposes only, but that it was intended to be continued as the essential part of a permanent system. In a note, therefore, of the 10th of June, (No. 8.) I suggested to the duke of Bassano the evils which might be expected naturally to result from the operation of this restriction on exports. It is indeed apparent that a trade that has to run the gauntlet of British blockade and is crushed with extravagant duties inwards, and shackled with this singular restriction outwards, cannot continue.

On the 14th of June, Mr. Hamilton of the John Adams, reached Paris, and informed me that this vessel had arrived at Cherbourg. Unwilling to close my dispatches by her, without being able to

communicate something of a more definite and satisfactory character, than any thing which had hitherto transpired, I immediately called at the office of foreign relations, but the minister being at St. Cloud, I was obliged to postpone the interview which I sought until the Tuesday following. At this interview I stated to him the arrival of the frigate, and my solicitude to transmit by her to the United States, some act of his government, justifying the expectation with which the important law, which she had brought hither had undoubtedly been passed. I urged particularly a reply to my note of the 11th of May, relative to the captured vessels, and observed that although the mere pecuniary value of this property might not be great, yet in a political point of view, its immediate liberation was of the utmost consequence. I intimated to him, at the same time, that my anxiety was such to communicate by the John Adams, a decision of these captures to the American government that I would detain this vessel until I had received it. He replied that his sentiments accorded precisely with mine in this matter, and ascribed the delay which had taken place to the same causes as I have assigned. He assured me, however, that he would immediately occupy himself again with this business, and unless a council of commerce should be holden within a few days, he would make a special report to the emperor, and endeavor to obtain a decision from him in person. He approved my intention of detaining the frigate, and engaged to do whatever might depend on him, to enable me to dispatch her with satisfaction. He added that he had already made enquiries of the competent authorities, concerning the Good-Intent and Friendship, and that when their reports should be received, he would do whatever the circumstances of the case might warrant.

I now suggested to him the evils which resulted to our commercial intercourse with France, from the great uncertainty which attended it, owing to the total want on their part of clear and general regulations. After making a few observations in explanation of this remark, I requested to know if he would have any communication to make to me on the subject previous to the sailing of the John Adams. I was led to make this enquiry from information which I had indirectly obtained, that several resolutions for the regulation of our trade had been definitively decreed. He replied that no such communication would be made here, but that Mr. Surruier would be fully instructed on this head. The resolutions just mentioned, as far as I have learnt, are to admit the produce of the United States (excepting sugar) without special permits or licences, to admit coffee, sugar and other colonial produce with such permits or licences, and to prohibit every thing arriving from Great Britain or places under her control.

He again mentioned the discovery of the regulation of the year twelve, authorising the certificates of origin for French ports only, or for ports in possession of the French armies, but declared that after the most thorough examination of the archives of his department, no document or record had been found permitting these certificates to be granted for the ports of neutral and allied powers. He again, however, professed a favorable disposition towards our negotiations in Denmark, and said — "le succès de la mission de la monsieur Erving's accorde rait parfaitement avec nos sentimens, et ne contraindrait nullement notre politique."

With the view above stated, I detained the John Adams until the 9th instant. I had from time to

time, in the mean while, informed myself of the proceedings with regard to the captured vessels, and ascertained that in fact, the duke of Bassano had made a report in relation to them. The emperor, it appears, however, still wished for the decision of his council of commerce, and the report was laid before them on the first of this month, being the first time they had assembled, since the date of my letter of the 11th of May. I waited in daily expectation of hearing the result of their deliberations, until the 9th instant, when conceiving sufficient time had been allowed for receiving it, and not feeling perfectly at my ease under the responsibility I was incurring for the unauthorised detention of the John Adams, I determined to learn from the duke of Bassano in person, what I might reasonably expect in the matter. I accordingly procured an interview with him on the day last mentioned. I reminded him of what had passed at our conference on the 18th ultimo, and told him that in consequence thereof I had kept the ship, but I could not with propriety detain her longer without the evident prospect of obtaining from the French government, the release of the captured vessels. He expressed a conviction of the justice of my observations, and assured me that he was in hourly expectation of receiving a decision on the captured cases, and hoped that the John Adams might not be permitted to return without it. I thereupon consented to keep my dispatches open until the 13th, assuring him that I could not take upon myself to protract the detention of the John Adams beyond that period.

On the 13th about one o'clock, I received a note from the duke of Bassano, of which the enclosed (No. 9) is a copy. I waited upon him immediately, and was informed that the Two Brothers, the Good Intent and the Star, three of the captured vessels, had been liberated. He added that no unnecessary delay would be allowed in deciding upon the whole.

I shall dispatch Mr. Hamilton this day, and I shall send with him a messenger to be landed on the other side, who will carry to Mr. Smith an account (No. 10\*) of what has been done here, to be used by him as he shall judge proper.

[No. 1.] Translation.

THE DUKE OF BASSANO TO MR. RUSSEL.

Paris, 4th May, 1811.

SIR—I hasten to announce to you that his majesty the emperor has ordered his minister of finance to authorise the admission of the American cargoes which had been provisionally placed in deposit on their arrival in France.

I have the honor to send to you a list of the vessels to which these cargoes belong; they will have to export the amount of them in national merchandise, of which two-thirds will be silks.

I have not lost a moment in communicating to you a measure perfectly in accord with the sentiments of the union and friendship which exists between the two powers.

Accept, sir, the assurance of my high consideration.

[Signed] DUC DE BASSANO.

[No. 2.]

MR. RUSSEL TO THE SECRETARY OF STATE.

Paris, 8th May, 1811.

SIR—I had the honor to address to you on the 6th instant, by various ports, several copies of the note of the duke of Bassano, to me on the fourth,

\* See the letter from Mr. Russell to Mr. Smith, charge des affaires, &c. &c. dated the 14th July, enclosed to Mr. Monroe's letter of 17th October, to Mr. Foster.

containing a list of the vessels, the admission of whose cargoes had been authorised by the emperor.

This list comprises all the American vessels which had arrived, without capture in the ports of France or the kingdom of Italy, since the first of November, and which had not already been admitted, excepting the schooner *Friendship*.

The papers of the *Friendship* had been mislaid at the custom-house, and no report of her case made to the emperor.

As the *New-Orleans Packet* and her cargo had been given up *on bond* in January last, there can be no longer any question with regard to their admission; but to make their liberation complete, the bond should be cancelled.

All the vessels mentioned in the list; excepting the *Grace-Ann-Green*, had come direct from the United States, without having done or submitted to any known act, which could have subjected them to the operation of the Berlin and Milan decrees, had these decrees continued in force.

The *Grace-Ann Green* stooped at Gibraltar, remained many days there, and in proceeding thence to Marseilles was captured by an English vessel of war. The captain of the *Grace-Ann Green*, with a few of his people, rose upon the British prize-crew, re-took his vessel from them and carried her and them into the port to which she was bound.

The captain considered this recapture of his vessel as an act of resistance to the British orders in council and as exempting his property from the operation of the French decrees professedly issued in retaliation of those orders. He likewise made a merit of delivering to this government nine of its enemies to be treated as prisoners of war.

His vessel was liberated in December, and his cargo the beginning of April last, and there is some difficulty in precisely ascertaining whether this liberation was predicated on the general revocation of the Berlin and Milan decrees, or on a special exemption from them, owing to the particular circumstances of the case.

It is somewhat singular this vessel was placed on the list of the 4th instant, when she had been liberated and her cargo admitted so long before.

It may not be improper to remark that no American vessel captured since the 1st of November has yet been released or had a trial.

These are the explanations which belong to the measure I had the honor to communicate to you on the 6th instant, and may afford some assistance in forming a just appreciation of its extent and character.

I have the honor to be, sir, with great consideration and respect, your faithful and assured servant,

[Signed] JONA. RUSSEL.

[No. 3.]

MR. RUSSEL TO THE DUKE OF BASSANO.

Paris, 11th May, 1811.

SIR—I have the honor to present to your excellency a list of the American vessels, which according to the information I have obtained, have been captured by French privateers since the first of November last, and brought into the ports of France. All proceedings in relation to those vessels have been suspended in the council of prizes, with the same view, no doubt, as the proceedings in the custom-house had been deferred with regard to those which had arrived voluntarily. The friendly admission of the latter encourages me to hope that such of the former at least as were bound to French ports, or to the ports of the allies of France, or to the United States, especially those in ballast, will

be immediately released, and that orders will be given to bring on the trials of the remainder, should such a course be judged indispensable, without any unnecessary delay.

The measure for which I now ask, being in perfect accord with the friendly sentiments which prevail between the two countries, I persuade myself will obtain the early assent of his majesty.

I pray your excellency to accept the assurances of my highest consideration.

[Signed] JONATHAN RUSSEL.

His excellency the duke of Bassano, &c. &c.

List of American vessels taken by French privateers, since the first of November 1810, and carried into the ports of France.

Robinson Ova, from Norfolk to London, cargo tobacco, cotton and staves, taken 21st December, 1810, into Dunkirk.

Mary Ann, Charleston, do. cotton and rice, 3d March 1811, do.

General Eaton, from London, to Charleston, in ballast, 6th December do. Calais.

Neptune, do. do. 7th Dec. do. Deippe.

Clio, do. Philadelphia, English manufactures, do. do. vessel lost off Trequier, part of the cargo saved.

Two Brothers, Boston, St. Malo, cotton, indigo, potash, cod-fish, fish-oil and dye-woods, 20th do. do. St. Malo. N. B. This vessel was taken within the territorial jurisdiction of France.

Star, from Salem, to Naples, coffee, indigo, fish, dye-wood, &c. 2d February, do. Marseilles.

Zebra, from Boston to Tarragona, 40,000 staves, 27th January, do. do. do.

[No. 4.]

MR. RUSSEL TO THE DUKE OF BASSANO.

Paris, 6th May, 1811.

I feel it my duty to represent to your excellency, that the American brig *Good Intent*, from Marblehead, with a cargo of oil, fish, cocoa and staves, bound to Bilbao, was captured in December last, by an armed launch in the service of the French government, and carried into Santander. Mr. J. P. Rattier, the consul of his majesty the emperor at that place, has taken possession of the cargo and sold that part which was perishable, retaining in his hands the proceeds, and placing in depot the articles unsold until he shall receive the superior orders of his government.

The present flattering appearance that the relations between France and the United States will be preserved on the most amicable footing, encourages me to hope that the case of the *Good Intent*, after the long detention that has occurred, will attract the early attention of the French government, and that the property will be restored to the American owner.

I pray your excellency to accept the assurances of my high consideration.

[Signed] JONA. RUSSEL.

His excellency the duke of Bassano,  
minister of exterior relations.

[No. 5.]

DUC DE BASSANO TO MR. RUSSEL.

Paris, 25th May, 1811.

SIR—The object of the letter you have done me the honor to address to me the 7th of this month, was to remonstrate against the sequestration of the American ship the "*Good Intent*," which had been carried into St. Andero by a French vessel.

The minister of the marine to whom I hastened to write on this subject, has just answered me, that

the case is carried before the council of prizes, which is alone competent to decide on the validity of the capture. He adds that it is before that tribunal, that the owners of the Good Intent ought to be prepared to establish their rights, and that he will have no other agency in this affair than to cause to be executed the decision which shall be made.

Accept, sir, the assurance of my high consideration.

(Signed) **LE DUC DE BASSANO.**

*Mr. Russel, charge des affaires  
of the United States of America.*

**MR. RUSSEL TO THE DUKE OF BASSANO.**

*Paris, 2d June, 1811.*

By the letter which your excellency did me the honor to address to me on the 25th ult. I perceive that the minister of marine declines interfering in the case of the American brig, the Good Intent, except to enforce the decision which the council of prizes may render.

As the Good Intent was captured bound to a port in the possession of the French armies, by a launch in the service of the French government, I had persuaded myself she would not be treated as a prize, but that she would be restored like the John and the Hare at Civita Vecchia, without the delay of a formal trial. It was in this expectation, that I omitted to place her on the list of American vessels captured since the first of November last, which I had the honor to address to your excellency in my note of the 11th ult. If his majesty the emperor should find it improper upon being acquainted with the circumstances of this case to distinguish it from cases of ordinary capture, I presume there will be no objection to extending to it the benefit of any general decision which may be taken in regard to those mentioned in the list aforesaid.

I pray your excellency to accept the assurance of my highest consideration.

(Signed) **JONA. RUSSEL.**

*His excellency the duke of Bassano.*

[No. 7.]

**MR. RUSSEL TO THE DUKE OF BASSANO.**

*Paris, 18th May, 1811.*

On examining the list of vessels whose cargoes have been admitted, and which your excellency did me the honor to enclose to me in a note dated the fourth of this month, I have discovered that the schooner Friendship has been omitted.

This vessel, as I am informed, arrived at Bordeaux on the 6th of December last, with a cargo of coffee, which from long detention, has suffered considerable damage. As there is no circumstance, within my knowledge, to distinguish the cargo of this vessel from those which have been admitted, I doubt not that her case will be enquired after, and that she will be placed upon the same footing as the others.

I pray your excellency to accept the assurance of my highest consideration.

(Signed) **JONA. RUSSEL.**

*His excellency the duke of Bassano,  
minister of exterior relations.*

[No. 8.]

**MR. RUSSEL TO THE DUKE OF BASSANO.**

*Paris, 16th June, 1811.*

Sir—I conceive it to be my duty to represent to your excellency, that the condition, attached to the admission of American property in France, to export two thirds of the amount in silks, is attended

with great inconvenience and loss to the American merchant.

A general requisition to export the nett proceeds of imported cargoes in the produce and manufactures of the French empire, would have been so obviously intended to favor its industry, and to prevent any indirect advantage resulting to its enemy by the remittance of exchange, that the right and policy of the measure would have been universally acknowledged. The American merchant, in this case, permitted to select from the various and abundant productions of the arts and agriculture of France, those articles which the habits and tastes of the American people demanded, might freely and advantageously have exercised his commercial skill for the advancement of his interests, and hoped from the profit on his investments here to obtain an indemnity for the loss on his outward voyage.

The condition, however, imposed on him to receive two thirds of these investments in a particular article takes from him the faculty of profiting of his experience or information, either in bargaining for his purchases or in adapting them to the wants of the market for which they are intended. The holder of this article becomes, by this requisition, the master not only of the price, but of the kind and quality of his merchandise, and his interest will strongly incite him to abuse the power which he feels. He knows full well that the purchaser cannot dispense with his merchandise, and that sooner or later, he must accede to the terms on which it is offered. Should indeed the American merchant, from his repugnance to invest his funds in an article forced upon him, loaded with the arbitrary exactions of the seller, refuse for a while to receive it, yet beholding the funds inactive and wasting on his hands, and his vessel perishing in a foreign port, he must eventually yield to the duress which he suffers.

Such are some of the evils to which the condition in question will expose the American merchant in this country. In the United States it will be by him still more severely felt.

The overstock of the article forced by this condition on the market there, exceeding the consumption, must necessarily become a drug, and the American merchant, after having taken it here against his will, and paid for it more than its ordinary value, will be compelled in the United States to keep it on hand, or to sacrifice it for the most it will bring. Thus alternately obliged to purchase and to sell under unfavorable circumstances, he will have to add to the losses of the outward voyage, the losses on the returns, and the sum of them both may amount to his ruin.

These disasters of the merchant must inevitably impair, if not extinguish the commercial intercourse between the two countries. This intercourse exposed to the unusual perils, and oppressed with unprecedented burdens, has already nothing in the voyage hither to tempt the enterprise of mercantile men, and should it be embarrassed with the restrictions of this condition, rendering the homeward voyage also unprofitable, it must undoubtedly cease. It is in vain to expect the continuance of any branch of trade which in all its relations is attended with loss to those who are engaged in it.

I have taken the liberty respectfully to submit these observations to your excellency, not without a hope that a consideration of them may lead to a remedy of the evils which they suggest.

I pray your excellency to permit me to renew  
the assurance, &c. &c.  
[Signed] JONA. RUSSEL.

[No. 9.]

[TRANSLATION.]

The minister of foreign relations has the honor to inform Mr. Russel, charge des affaires of the United States, that he will be happy to receive him at any time to day before two o'clock, if it should be convenient to him.

He begs him to accept the assurance of his perfect consideration.

Paris, 13th July, 1811-

Correspondence of G. W. Erving, esq. special minister to Denmark with the secretary of state.  
TO THE SECRETARY OF STATE.

Copenhagen, June 23, 1811.

Sir—Having had my audience of his Danish majesty on the 5th inst. on the 6th I addressed to Mr. de Rosenkrantz, minister of state for foreign affairs, a note upon the subject of the American cases generally, then under adjudication, by appeal before the high court of admiralty; and on the 7th a separate note respecting the cases of capture under British convoy.—Copy of those two notes [A. and B.] and the lists to which they refer, I have the honor herewith to submit. In an interview which I had with the minister on the 8th inst. in the course of conversation he told me, that as the matter of both those notes was very important, and the latter particularly required a great deal of consideration, he must have them perfectly translated into the Danish language, to be laid before the king;—therefore I must not expect very prompt replies, but in the mean time that he was sincerely desirous of doing, and would do every thing in his power, to forward our business towards a favorable termination. I suppose that the convoy question may be referred to his majesty's chancery, which is the highest tribunal, and that by which the king is accustomed to declare his will in matters which he does not submit to, or chooses to take out of the ordinary course of proceedings.

Having now fully informed myself of the business entrusted to me, it is with very great satisfaction that I find myself authorised to state to you, that the evils, which our commerce has suffered here, though very considerable, yet have not been quite so extensive as has been generally believed; and you will learn also, with very particular pleasure, that the depredations of the Danish privateers have been discontinued since my arrival. I have prepared lists and statements with a view to place the whole matter before you in the most particular and at the same time most distinct and simple form; these will be completed when I have received returns from Norway and from Holstein respecting the fate of some few of the cases which occurred in the year 1809. In the mean time I can state the results to be nearly thus—

Captures in 1809	38
Condemnations	12
Captures in Norway, in the year 1810	—
Of which are pending in the high court	36
And not one has been finally condemned.	8
Captures in Holstein, Sleswick and the Danish islands, in 1810,	68
Condemned	22
Pending	6
Convoy cases—year 1810	18
Condemned	8

Pending	10
Total amount of captures in 1809 and 1810	160
Total condemnation	42
Of which	16
Were vessels which had broken the embargo, or non-intercourse, or are otherwise not genuine American cases	
Pending cases, including ten convoy cases	24

In this year the only two vessels which reached these seas from the United States previous to my arrival, were taken, in the beginning of April, and condemned in Norway; two others just about the time of my arrival were carried in and are now under trial there; but since the 11th instant, upwards of forty vessels from the United States, have passed through the Sound and gone up the Baltic, and more or less are every day passing without interruption; the papers of some few have been slightly examined in the subordinate court of Elsinour; there have been tried in the lower prize court of this place, and acquitted without delay, two or three; one of them with damages against the captors; being the first case in which damages have been given at Copenhagen:—Finally, of the fourteen cases (not convoy cases) which were pending before the high court on my arrival, four have been acquitted, and though the privateersmen and all concerned with them (and the ramifications of their business are immense) have made every effort to bring on condemnations, yet the tribunal, otherwise perhaps well disposed to proceed, has been steadily held back by the government; and I see the best reason to hope that at least eight of the remaining ten cases will be acquitted. As to the convoy cases my confidence is not so strong, yet even of them I do not despair. The ground on which they stand, I am aware, is not perfectly solid, yet I did not feel myself authorised to abandon them, and therefore have taken up an argument, which may be difficult, but which I shall go as far as possible in maintaining.

I have had several interviews with Mr. de Rosenkrantz, subsequent to that last mentioned, and have acquired additional reasons to hope for the king's perseverance in the change of system which has so happily taken place, but he discourages any expectation of indemnification for the injuries sustained by our commerce under that which now appears to be relinquished. Yesterday he told me very explicitly, that against the definitive decisions of the higher court, I must not hope for any redress, he trusted that for the future we should not have any cause to complain; but for the past, there was no remedy. I thought it not opportune to enter much into the matter at that time, and therefore contented myself with some general protestations against his doctrines.

I cannot close this letter without acknowledging the very great services of Mr. Isaacson, our consul at Christiansand, you will observe, sir, in the lists which I send to you, that of thirty six vessels carried into the ports of Norway, in the year 1810, only four were condemned in the inferior courts of that district; this has been wholly owing to the unwearied exertions of Mr. Isaacson; he found our people in the most distressed situation, entirely friendless—in the hands of, surrounded by, and ready to be sacrificed to the rapacity of the privateersmen and their connections; he volunteered in their service—he boldly opposed himself to the host of their oppressors—he made such man's cause his own, he provided for every man's wants—in short, his inter-

pidity and independence and disinterestedness of character—his constant zeal and industry saved them from ruin, and with gratitude, very honorable to themselves, they never cease to praise him.

With the most perfect respect and consideration, I have the honor to be, sir, your most obedient servant.

GEORGE W. ERVING.

A

Copenhagen, June 6, 1811.

TO MR. DE ROSENKRANTZ, &c.

SIR.—It was under the fullest conviction and the strongest sense of the injustice which has prevailed in the sentence of the Danish tribunals on cases of American capture, as well as an anxiety immediately to arrest the course of those excesses on the part of the privateers too much countenanced by such decisions, which are laying waste the property of American citizens; that I ventured on the 31st ult. and on the 2d inst. to request that the proceedings of the tribunals should be suspended, until having had the honor of presenting my credentials to his majesty, I should be enabled to enter into regular communication with your excellency.

In this first formal address to you upon the subject of the reclamations with which I am charged, it is incumbent upon me to express the extreme surprise and concern with which my government has seen the property of its innocent citizens, whilst employed in fair and legal commerce, ravaged by the cruizers of a nation between which and the U. States the most perfect harmony has always hitherto subsisted—against which they have never heretofore found any cause of dispute or any ground of offence,—and to which they felt themselves attached not merely by the ordinary ties of reciprocal good offices, but by a common interest in the defence and preservation of those neutral rights, which have so much contributed to the political importance of Denmark—by which her prosperity has been so greatly promoted—and which formerly foremost amongst nations, she has so magnanimously and successfully contended for. But at the same time that I make this reflection so necessary and so obvious, I must also say, that the president retains an entire confidence in the personal good dispositions of his majesty—in his steady adherence to those great and liberal principles and those just political views which so eminently distinguish his character—and the president assures himself that it is only necessary that his majesty should be made acquainted with the nature and extent of injuries which the rights of the United States as a neutral nation, and the property of their citizens have suffered and are still exposed to, to induce him to apply an immediate and an adequate remedy to the evils complained of. His majesty on his part cannot fail to feel that confidence in the correct views and honorable intentions of the United States which their uniform conduct in all their negotiations and transactions with other powers has so justly entitled them to;—nor can he be indifferent when the friendly relations and mutual good dispositions which have hitherto so invariably subsisted between the two countries, and which it is so much the interest of each to maintain, are in question.

Animated by the most just and friendly dispositions, the American government whilst it resists all aggressions on its neutral rights, and will never cease to oppose all violations of the public law which may offend them; solicitously avoids any interference with the rights of others, nor will it admit under cover of its name and authority, any

practices which may have that tendency; it has therefore seen with the most indignant sensibility various instances of the prostitution of its flag by unprincipled adventurers, in Europe, and I have it in express command to assure his majesty of its determination to discontinue by all practicable means such proceedings, and of its sincere disposition to co-operate with his majesty in detecting and punishing all similar frauds and impostures.

Your excellency will perceive, in the frankness of these observations and in the loyalty of this declaration, the true character of the American government:—they will also, I trust, strengthen my title to that confidence on the part of his majesty which it is at once my duty and my desire to merit.

To carry into effect this two fold purpose of my government;—to protect the property of its citizens, and to cast off from any reliance on its protection, those spurious and fraudulent cases (if any such actually exist) which have injured the character of the American trade and jeopardized the interests of American citizens, I will enter into candid explanations with your excellency upon all the questions which arise on the cases now pending; so as to establish the bona fide character of the vessels under adjudication, and thus remove from before his majesty every obstacle to that course of justice which he is always desirous to observe, and to a manifestation of the amicable and conciliatory feelings towards the United States which it is confided prevail in his mind.

I have the honor herewith to transmit to your excellency, two lists, containing together twenty-eight cases of American captures, being those now actually pending before the supreme court of admiralty on appeal, or waiting for his majesty's decision. The list No. 1, comprising twelve of the whole number, are "convoy cases"—that is, cases in which no question has been raised as to the genuine character of the vessels, but wherein the decision rests upon the clause "d." of the 11th article of the royal instructions of March 10th, 1810, declaring as a cause of condemnation "the making use of English convoy." I stated to your excellency in conversation, as well as in the note which I took the liberty of addressing you on the 2d inst. that it would be my duty to object to the principle assumed in that declaration. I trust that I shall be able to show you that it is entirely novel: that it has not any foundation in public law, and that it has not even such sanction as might be supposed derivable from the practice of other nations. Certainly much effort will not be necessary to prove, that it is entirely repugnant to the broad ground of neutral right formerly occupied and firmly maintained by Denmark herself; but upon this point I propose forthwith to address to your excellency a separate note; in the present, I will confine myself to observations on the cases (sixteen in number) mentioned in the list No. 2.

With respect to the "Egeria," captain Law, I send to your excellency a separate note in reply to that with which you honored me on the 2d instant, that case must now stand so perfectly clear, that I am sure I need not trouble you with any additional remarks on it.

In the two cases, viz. the "Nimrod," and "Richmond," the sole objection made is to the French certificates of origin, which they had on board; these are presumed to be forgeries, upon a supposition that at the time they bear date, the French consuls in the United States had ceased to issue such certificates. Now the cases must be relieved from that objection and the question which

has been raised upon French certificates of origin be put at rest forever, by the facts which appear in the correspondence between the secretary of state of the United States and general Turreau, the French minister, a copy of which I have herewith the honor to inclose [No. 3]. Your excellency will observe that in general Turreau's letter of December 12th, replying to the secretary's letter of November 28th, it is expressly and unequivocally stated, that the French consuls in America, "had always delivered certificates of origin to American vessels for the ports of France," and had also, *delivered them to vessels destined to neutral or allied ports*—by the authority of the French government, and that it was only by the United States' ship "Hornet" which arrived in America in the 13th of November, 1810, that the French consuls received orders to discontinue the granting such certificates to vessels bound to other ports than those of France: Your excellency will also perceive in the secretary's reply, of December 18th, how important this explanation was deemed by the president in its application to the vessels of the United States taken by Danish cruizers upon the ground of their having on board such certificates.

Of the thirteen remaining cases in the list No. 2, eight have been acquitted in the subordinate courts of Norway and at Flensburg, and are now depending in the high-court on the appeals of the captors, and five have been condemned in the subordinate courts and are depending in the high court on the appeals of the American masters.

I annex to this note a summary of each class [A and B] showing the nature of the questions and objections which have arisen upon the several cases, and I do confide, that if your excellency will be pleased to lay it before the king, that his majesty will become immediately sensible to the undue proceedings of his tribunals, and will readily apply his royal authority to administer prompt and efficacious redress for the injuries and vexations which the commerce of the United States and its citizens are suffering.

I can only add, that in all cases where any doubt shall arise respecting the authenticity of American documents, I have it fully in my power to establish the truth: and I beg leave to re-assure your excellency, that on this point, as on every other, you shall not experience any proceedings on my part, which will not conform to the strict honor and good faith, to the just and liberal sentiments which characterize, and to the friendly and conciliatory dispositions towards his majesty, which influences the government which I have the honor to represent.

I offer to your excellency assurances of the very distinguished respect and consideration with which I am always, &c.

GEO. W. ERVING.

(TO BE CONTINUED.)

#### MESSAGE.

To the senate and house of representatives of the United States.

I now lay before congress, two letters to the department of state, one from the present plenipotentiary of France, the other from his predecessor, which were not included among the documents accompanying my message of the 5th inst. the translation of them being not then completed.

November 7, 1811.

JAMES MADISON.

Translation of a letter from general Turreau to the secretary of state, dated

NOVEMBER 11, 1810.

522—Although you may have been already in-

formed through another official channel of the repeal of the decrees of Berlin and Milan, it is agreeable to have to confirm to you this new liberal disposition of my court towards the government of the states of the union.

You will recollect without doubt, sir, that these decrees were adopted in retaliation for the multiplied measures of England against the rights of neutrals, and especially against those of the United States; and after this new proof of deference to the wishes of your government, his majesty the emperor has room to believe, that it will make new efforts to withdraw the American commerce from the yoke which the prohibitory acts of Great Britain have imposed upon it. You will at the same time observe, sir, that the clearly expressed intention of my government is, that the renewal of commercial intercourse between France and the United States cannot alter the system of exclusion adopted by all Europe, against all the products of the soil, or of the manufactures of England or her colonies; a system, the wisdom and the advantages of which are already proved by its development and its success. And of which also the United States, as an agricultural and commercial power, have a particular interest, in aiding in, and hastening the completion. Moreover, sir, this measure of my government and those which yours may think proper to adopt, will prove the inutility of the efforts of the common enemy to break the ties of friendship which a humane and generous policy has necessarily formed between France and the United States, and which the actual crisis ought to draw closer. We ought hereafter, sir, to hope, or rather we may be assured, that new relations still more close and more friendly are about to be formed between Americans and Frenchmen, and that these two people will be more than ever convinced, that their glory, their interest, and their happiness must eternally consecrate the principle and the conversation of these relations. I seize with eagerness this occasion, sir, of renewing to you the assurance of my high consideration.

(Signed)

TURREAU.

M. SERURIER TO MR. MONROE.

"Washington, July 23, 1811.

SIR—"The new dispositions of your government, expressed in the supplementary act of the 2nd of March last, having been officially communicated to my court by the charge d'affaires of the United States, his imperial majesty, as soon as he was made acquainted with them, directed that the American vessels sequestered in the ports of France since the 2nd of November, should be released. Their cargoes have been admitted, and some of them have departed upon conforming with the municipal laws of the country, that is to say by exporting wines, silks, and the products of French manufactures. Orders were to be given at the same time, that all the American vessels coming from the United States, and loaded with merchandize the growth of the country, should be admitted and received into all the ports of France.

"I hasten, sir, according to the orders I have received, to make these dispositions known to your government.

"In order to prevent all difficulty in relation to the cargoes of vessels, the table indicating the merchandize the growth of the United States, has been prepared; and it has been thought that a rule could not be adopted more favorable and more sure than the statement itself of the exportations made by the Americans during the year which preceded the em-

bargo, viz. from October 1, 1806 to September 30, 1807, a period during which your commerce of exportation was in full activity. I annex this table to my letter. Coffee, sugar and cocoa are not included in this statement. These articles of merchandise have always been ranged in the class of colonial products; and whatever may be their origin, his majesty, while favoring in his states many branches of culture, and many new establishments, with a view of supplying their places by indigenous productions, could not encourage indefinitely their exportation. Vessels arriving with permits, by means of which the importation of merchandise is authorized, will be admitted.

"The introduction of tobacco is not prohibited. It forms the first object of culture in some of the states of the union; and his majesty having an equal interest in the prosperity of all, desires that the relations of commerce should be common to all parts of the federal territory; but tobacco is under an administration [*enrégie*] in France; the administration is the only consumer, and can purchase only the quantity necessary for its consumption. It became necessary that measures should be taken on this subject, and they have been conformable to the common interest. Tobacco will be received in the ports of France and placed in actual deposit [*en entrepot réel*] and if more arrives than the administration can purchase, the transit of the surplus will be permitted across France for Germany, and the other states of Europe, in which the American merchants may find a sale for it.

"All the vessels of the United States which may arrive in France, will have to discharge the custom-house duties, to which the merchandise they bring is subject; and their return must be effected by exporting an equal value in French wines, silks and other articles of French manufacture, in the proportions determined by the regulations.

"Merchandise of the growth of the United States, composing the cargoes of American vessels, must be accompanied by a certificate of origin, delivered by the French consul from whence the vessel departed.

"I flatter myself, sir, that the communication of these dispositions of the emperor in favor of American commerce, will be as agreeable to your government, as it is to me to be the means of making it.

"I have the honor, sir, to renew to you, the assurance of my high consideration.

*The minister of France,*

SURURIER.

*Mr. Monroe, Secretary of State.*

"Productions of the soil and of the manufactures of the United States, exported October 1, 1806 to September 30, 1807, [and the exportation of which is now allowed in France:]

"Salt or smoked fish, dried or pickled do. whale and other fish oil, whalebone, spermaceti candles, staves and heading, shingles, hoops, plank, timber, lumber of all kinds, masts and spars, manufactures of wood, oak, bark and other dyes, tar, pitch, rosin, turpentine, skins and furs, ginseng, beef, tallow, hides, horned cattle, pork, hams and bacon, lard, hogs, butter, cheese, pot and pearl ashes, horses, mules, sheep, poultry, mustard, cotton, wheat, flour, rye meal, buck-wheat meal, biscuit or ship-bread, Indian corn, Indian meal, rye, oats, barley, buckwheat, beans, peas, apples, potatoes, rice, indigo, tobacco, flaxseed, hops, wax, household furniture, coaches and other carriages, hats, saddlery, boots, silk and leather shoes, beer, porter and cider in casks and bottles, spirits from grain, starch, can-

dies, soap, wax candles, hair powder, snuff, tobacco unmanufactured, bricks, essence of bark, linseed oil, spirits of turpentine, wool and cotton cards, maple and other brown sugar, bar-iron, nails, castings, canvass and sail cloth, cables and cordage, spirits from molasses, refined sugar, chocolate, gunpowder, copper manufactured, medicinal drugs.

TRUE COPY,

*The minister of foreign relations,*  
(Signed) DUKE OF BASSANO."

## History

### *Of the Invasion of Spain by Bonaparte.*

ABRIDGED FROM THE MOST AUTHENTIC SOURCES,  
CHAPTER V.

(CONTINUED FROM PAGE 171.)

*Description of Spain, geographical, moral and political.—Circumstances tending to encourage the Spaniards in their resistance against the French.*

Spain, in ordinary language, is considered as consisting of one extensive state or kingdom, and so it is in its foreign relations, and sundry other points of the greatest importance. But under the crown of Spain are united many states or kingdoms which have gradually coalesced into one monarchy; each kingdom,—formerly so called—retaining still, together with many particular laws and usages, a peculiar and distinct character, and some of them, separate, local interests:—circumstances, which, no doubt, presented to such a mind as that of Bonaparte, hopes of being able to call to his aid, the destructive power of division and discord. The northern districts, containing the kingdom of Navarre, the three provinces of Biscay, and the principality of Asturias, enjoy peculiar privileges; being governed, in some sort, by themselves, and by far the greater part of their contribution appropriated to the expenses of their own municipal establishments. These provinces consisting chiefly of prodigious tracts of mountains, produce a race of hardy, active and industrious people, who, for want of sufficient employment in the cultivation of the ground, or in the iron mines with which their country abounds, have naturally devoted themselves to the sea-service in various branches; and from those tracts of sea coast, the Spanish navy draws the most energetic portion of its mariners.

The other parts of Spain are very unequally distributed into those belonging to the crowns of Castile and Arragon. To Castile belong the kingdom of Galicia, the provinces of Burgos, Leon, Zamora, Salamanca, Estremadura, Palencia, Valladolid, Segovia, Avila, Toro, Toledo, La Mancha, Murcia, Guadaluara, Cuenca, Loria and Madrid; to these are added the four ancient Moorish kingdoms, composing the provinces of Andalusia, namely, Seville, Cordova, Jaen and Grenada. To the crown of Arragon belong the kingdoms of Arragon and Valentin, the country of Catalonia and the kingdom of the island of Majorca. The states under the crowns of Castile and Arragon, had their several cortes or assemblies of representation of the different orders of inhabitants; but those of the two crowns were never united into one body; and, indeed, since the days of Charles V. who resigned the government in 1555, the cortes were seldom convened.

The government, however, though in appearance despotic, and independent of the will of the nation, was, as is the case in even the most arbitrary Euro-

Spain states, tempered by a complicated system of councils, in which, if judgment was tardy, it was commonly just.

The great and important peninsula of Spain,—including Portugal, naturally a part of the same country, and at various periods subject to the same sovereign,—is most advantageously situated between the Atlantic and the Mediterranean. It commands the narrow straits of Gibraltar, the only communication between these seas, and occupies, in some respects, the centre of the habitable globe.—This peninsula, a name by which the Spanish frequently designate their country, extends, where broadest, from west to east, about 640 miles : and from north to south, about 540 miles. The population of the whole peninsula has been computed at between thirteen and fourteen millions ; of which Portugal is supposed to contain two millions. The remainder, distributed over Spain, will afford only about 74 persons for every square mile, while the inhabitants of England are computed to exceed 150, and those of France 170, on a similar extent of territory ; many parts of the interior being almost destitute of springs and rivers, and others being exceedingly mountainous. Indeed, on the first glance at the map of Spain, it appears to be a country shaped, and in a very great measure consisting in, belts of mountains, ramifying from one another and leaving intervals of various breadths between them, yet all of them linked to the same mass or stock. The sea coasts of Catalonia, Valencia, Murcia, Grenada, and Andalusia, present scenes of active industry, amazing fertility, and crowded population.

The hardy, industrious, and adventurous mountaineers of the north ; the sedate and solemn inhabitants of the broad and arid plains of the two Castiles and La Mancha ; the pensive and taciturn Estremaduran ; the volatile and talkative Andalusian ; the laborious cultivator of the shores of the Mediterranean—these different descriptions of the population of Spain, resemble each other in so few points as to appear to be of very different descent, and indeed the production of very different countries and climates. In one important particular, however, the national character of the Spaniards might be traced in every corner of the kingdom.—Entire and respectful submission to the authority of the sovereign, was every where predominant. For while the Catalanian was proud to think that the king was not king, but only count of Catalonia ; and the Biscayan that he was only lord of his mountains ; they both agreed in yielding most implicit obedience to his mandates, when promulgated in the customary forms of each respective district—that the Castilians and the Arragonese should glory in their submission to the royal authority, is not surprising, as from the union of the sovereigns of Castile and Arragon, sprang the family which in the course of time became masters of the whole country. Arragon and Castile had likewise embraced the interests of the house of Bourbon in the dispute with that of Austria in the beginning of the last century. That the Catalanians, however, should have evinced in 1808 a decided attachment to the reigning family, against whom they had obstinately and long contended, and from whom they had received no favors, but many marks of dislike, having been disarmed and experienced various other proofs of distrust from those in power—that the Catalanians should manifest now a decided and determined attachment to the interests of the house of Bourbon, can be attributed only to an inveterate

aversion from their neighbors on the northern side of the Pyrenees, with whom for ages they had been in almost continued hostility ; from whose incursions and devastations they had often severely suffered, and whose revolutionary doctrines, moral, political and religious, as well as their actions, were calculated to inspire Spaniards with aversion and horror.

Another feature, strongly characterising all the provinces of Spain, and indeed all the subjects of his Catholic majesty in any quarter of the world, was an absolute devotion not only to the doctrine, but to the policy of the see of Rome. In this absolute devotion to the church, the Spaniards, with perhaps the exception of the Portuguese alone, exceed all the nations of Europe. The church or secular clergy in Spain possessed immense revenues, even the third part, it has been computed, of the whole land. But it would be extremely erroneous to conclude that these were appropriated to the sole enjoyment, application or accumulation of the several incumbents. Of late years, it became the policy of government to grant pensions on the richest benefices for the support of various public establishments ; so that even the metropolitan of Toledo, the most exalted dignitary of the kingdom, although nominally enjoying a revenue of perhaps 500,000 dollars, could not in reality dispose of more than a fourth part of that sum. The opening of roads, the construction of bridges, the establishment of inns and schools, the reparation of churches and chapels, and various other works of public utility, are often imposed in Spain on those who enjoy large ecclesiastical possessions ; and where such duties have not been imposed, the incumbents, from zeal to the public good, or even from a desire to imitate the conduct of their predecessors or contemporaries, have often charged themselves with that performance.

The attachment of the people to the church and its ministers, was also warmly cherished by the exemplary deportment of the episcopal body, who from the day of their appointment, immediately repaired to their respective dioceses in which they uniformly resided, there devoting themselves entirely to the various duties of their station.

The abbies and convents over Spain, appropriated to the reception of females, were some years ago calculated to contain about 34,000 persons ; while those for the accommodation of monks and friars, of all descriptions, were inhabited by nearly double that number. Of this last description of persons, by far the greatest number might certainly be considered as lost to the prosperity of the kingdom. But the Benedictine, Bernardine, and some others of monks, might, in many respects, be considered by the population around, as eminent benefactors to the country. Continually fixed to one spot, in the midst of their possessions, they were naturally led to cultivate and improve their common heritage ; and being destitute of the power of accumulation, they regularly expended their income in the quarter whence it was drawn.

On the other hand, the great nobles and proprietors of lands with a very few exceptions, abandoning the care of their vast domains to agents and intendants, drained the country and its cultivators, to supply the exigencies of an idle and often dissipated life in the capital and other great towns. This injurious dereliction of the country is, no doubt, to be attributed in a great measure to the introduction of French manners, and a frivolous taste, and above all, to the jealousy entertained by the first Spanish kings of the house of Bourbon, of the old

nobles of Spain, who in the war of the succession had very generally and very naturally manifested a predilection for the house of Austria.

A great and opulent lord, residing constantly on his own dominion, was an object of displeasure to the court; of discountenance and even molestation.

The noble spirit of the Spanish grandees, in general sunk in luxury, indolence and vice, suffered a gradual depression. They were neither invited, nor ambitious to share in the employments of the state; so that with the exception of a few ancient names in the church or the army, and still fewer in the navy, the great body of the Spanish nobility ceased to be of any political importance in the kingdom.

It is extremely remarkable, that it was not among the great landed proprietors, who had, in the common phraseology, the greatest stakes, that the patriotism of the Spaniards shone forth with the greatest splendor; but among the commercial class whose property was in some measure moveable, and the clergy, who at best were only life-renters. The nobility in general did not seem to feel the amor patriæ, the attachment to natal soil, so strongly as the clergy of all ranks, who resided in their own dioceses, parishes and monasteries, nor even as that of the poor peasants.

The deep-rooted aversion to the French, already noted, was not confined to the province of Catalonia, but pervaded all the northern and middle provinces of the kingdom.\*

From the earliest periods, down to the beginning of the last century, the Spaniards were engaged almost without intermission in hostilities. Another reason for the peculiar dislike of the Spaniards to their northern neighbors, is found in the national character and deportment of the French, who not only affected or really felt some degree of contempt for the Spaniards, but commonly took very little pains to conceal or disguise their sentiments towards them. In this national dislike, persons of all nations who entered Spain from France, were involved, until their real country was known.

As the Spanish had their national aversion; so they had likewise their national attachments. It would, at first sight, be difficult to account for any partiality they should entertain for the British nation. But such a partiality they certainly did possess and were eager to demonstrate. The two countries, it is true, were formerly connected closely by various ties, political and commercial; and those ties, notwithstanding the dissolution of the ancient intimacy by the accession of the house of Bourbon to the throne of Spain, still retained a firm hold of the steady and honorable character of the Spaniards. As men are never more intimately united than by a community of sentiments or feelings, and as the Spaniards believed the English to have no greater respect for the French nation than they had themselves, this was a hearted people looked on a Briton as in some measure a sharer in his own existence. The Spanish traders, in general, had an opinion that in all commercial transactions,

\* We could not read the following note to Mr. Walsh's letter, p. 21, without a smile at the excessive vanity which characterises the French nation.

"Favier, in his 'Conjectures Raisonnées,' contained in the 'Politique de tous les Cabinets,' commences a chapter on the subject of Spain in this way: 'De la haine nationale contre les Français,' and dwells with great indignation on the 'blind and stupid hatred' entertained so universally by the Spaniards against his countrymen."

no nation came so near as the British to their own, in probity, punctuality and fairness of dealing.

On the subject of religion, the Spanish sincerely lamented the defection of the English from their ancient professions of faith. But this sorrow was attended rather by a hope that at some future period Britain might return to what they considered as the right way, than by any aversion from their company, or their opinions on other subjects:—whereas, the natives of Ireland, formerly more numerous in their service than of late years, who professed to be in communion with the church of Rome, were, in many instances, subject to the suspicion of a temporising policy.

The frequent wars between Britain and Spain, unquestionably kept alive a spirit of estrangement in the Spanish nation. But that great portion of the people who pretended not to enquire into the secret cause of political events, were in the habit of attributing those public enmities rather to the predominating influence of the French consuls in the administration of national affairs, than to the existence of any just cause of complaint immediately between Great Britain and Spain. The epoch and the manner, however, of the commencement of the late hostilities had materially affected the general feelings of the Spanish nation with regard to their ancient ally.

It may appear surprising, that a nation once so distinguished as the Spaniards in science, and in arms, for so considerable a lapse of time as that between the abdication of Charles V. of Austria and Charles IV. of Bourbon, should have been contented with a system of government presenting so few positive advantages, and producing so many real evils to the various classes in the state. The Spanish nation, however, had been for more than two centuries in a state of gradual decay, so that the deterioration was scarcely perceptible in its progress; and it was only by comparing the situation of the country at different periods, that its decay could be ascertained. It is not by any single act, but by an accumulation of facts, examples, customs, precedents and laws, that a nation loses its liberty. What is considered by the present generation, at the worst, only as a mist, as seen by succeeding ages as a dark and portentous cloud.

The personal character, too of a sovereign, or of a minister, has a very powerful influence in even the best organized constitutions on the happiness of a state. The general dispositions and conduct of some of the late sovereigns of Spain, had consequently a strong tendency to attach a people, naturally honorable and loyal, and of great sensibility, to their government in general, and to incline them to attribute what hardships they endured, to the malign influence of corrupt counsellors, rather than to the dispositions or intentions of the prince. These observations, however, are applicable only to the mass of the Spanish people; for an improved system of things, both civil and religious, had been long and earnestly wished for by many of the ablest and most enlightened individuals in the state. Others there were also; who, infected with the philosophism of modern times, secretly longed and waited for a general dissolution of the administration in church and state, in order to raise in its stead an edifice more conformable to their conceptions of a perfect government.

When we reflect that all public discussion of matters relating to either religion or government, was almost entirely prohibited throughout the Spanish dominions; and that men desirous of information on these points, had no other source than secretly

to avail themselves of the writings of authors living, under more liberal systems of government, we can easily conceive, that an aversion, and a degree of hostility too, must naturally have been produced in the minds of even good men to an administration by which such restraints were imposed on the exercise of the human faculties on subjects the most congenial and important to his nature. Such men may, for various reasons, carefully observe the rules of exterior submission; but their wishes for a change must, in the end, produce an alteration in their language, and also in their conduct. In such a case, how happy it is for the country of which the established constitution acknowledges the duty, and allows the means of improvement, and where reformation may supersede the necessity of revolution!

The dread tribunal of the inquisition in Spain, had been for many years back, gradually withdrawing from public notice. Its powers, however, though seldom exerted, were not diminished. The unfortunate *Olavide*, the founder of the establishments for peopling the *SIERRA MORENA*, sunk under the power of the holy inquisition, though as much probably for his political as his religious offences. In the beginning of the French revolution, when neither pains nor cost was spared, clandestinely to introduce and disseminate throughout Spain, publications calculated to excite disorders in the state, the formidable weapons of the inquisition were actively and successfully wielded in defence of the established system of government; for any assault on the rights of the temporal sovereign of the kingdom was regarded as a direct attack on the paramount authority of the spiritual head. The alliance between church and state in Spain, was extremely close; or rather, the political and ecclesiastical authorities were, in a great measure identified. The kings of Spain were the great champions of the church, and the most brilliant era in history of the Spaniards is that, when they proceeded by degrees to take possession of the munificent donations of the pope, with the sword in one hand and the cross in the other.—And, in fact, it was not less by the religious zeal of the missionaries than the heroic valour of the military order, that the vast transmarine empire of Spain was established.

The steady devotion of the church is not therefore founded in a greater propensity to piety than is felt by other nations only, but in part, by a recollection of former times when they were exalted to so high a pitch of glory by the sword of the Lord and of Gideon. The high-minded pride of the Spanish nation, finding no support in recent, turns to the contemplation of events long past: to the victories of Pavia, Lepanto, and St. Quintoin, to their contests with the Moors, and with the Romans. They had suffered many indignities and insults at the hands of Bonaparte and his agents, when the massacre of Madrid and the captivity of the royal family kindled the accumulated combustibles of indignation and revenge into a flame, which spread into every part of the empire, with the rapidity of lightning. There is no instance of any nation, so widely scattered, rallying so unanimously, and with so much alacrity, around the standard of their country. Their motto was, "*The Spanish blood shed at Madrid on the 2nd of May, cries aloud for vengeance.*"

The flower of the Spanish army was serving under the banners of the enemy in the north of Europe. The iron frontier of Spain on the north east was in the hands of French garrisons. The me-

tropolis and the greater part of the interior, and the adjoining kingdom of Portugal were occupied by 100,000 veteran troops, commanded by able and experienced officers. The Spaniards, without arms, without ammunition, and without a public treasury, were abandoned by their government, and left wholly to themselves; and not a few of the *grandes* and other persons of high distinction, to whom they might look up for bringing the resources of the monarchy into one uniform direction, they had reason, though not quite so much probably as they imagined, to consider as traitors to their country. The bands of society were broken asunder. There was no visible mode of combining their separate force into any regular plan of co-operation. Yet, under all these circumstances, they did not hesitate to enter on a conflict with the most numerous and most warlike nation of Europe, their neighbors, under the direction of the subtlest politician, and first general of the age. Nor was this an arrogant and blind presumption; a mere fit of passion, or frantic enthusiasm. An act of phrenzy may be committed by a single person; not by a great nation, widely spread over different and distant regions and countries, and least of all by the Spaniards, renowned for circumspection, foresight, patience and perseverance in designs formed on due deliberation. Though deserted by government, they had confidence in the justice of their cause, and in one another. It seemed to be deeply impressed, or rather inborn in their minds, that however severe the conflict might be, and how much soever protracted, the star of Spain would gain the ascendant at last, and ultimately conduct her to national independence and glory.

The confidence of ultimate success, under circumstances so discouraging, is one of the most wonderful, if not the most wonderful feature in the whole of the origin and progress of the general rising of the Spaniards. It was not confined to one class, sex or age. It was universal. It predominated in the breasts of old and young; of tillers of the ground, shepherds, shopkeepers, monks and women. The enthusiasm of the Spaniards though exalted was deliberate. It was the confidence of men who had calmly surveyed the mighty power opposed to them; who were prepared to encounter privations, defeats and disasters; and who were persuaded, that by bringing constantly into play all their means of annoyance, they should be able to exhaust and weary out, at last, the enemy whom they were unable to subdue by a direct encounter.

The first circumstance of encouragement, that would naturally occur to the Spaniards, was the geographical position and great extent of their country. Its peninsular form,—for Portugal was not only a congenial and friendly power, but part of the same country—secured it on all sides except that of the Pyrenees, a natural rampart of no inconsiderable consequence, from being invaded by land, and combined with the naval power of England, the sworn enemy of the emperor of France, opened a safe and sure communication with her colonies, with Great Britain and Ireland, with Sweden; and in short, with every nation on the face of the earth, that might be disposed to espouse and maintain the cause of political freedom against unprincipled ambition and aggression; although the continent of Europe might not dare to give any direct aid, by declaring war against the common oppressor, yet in fact they would, even France herself not excepted, contribute assistance in an indirect and passive manner, by obliging him to employ a part of his

armies in watching and keeping them in subjection.

The principal towns and seaports of Spain, isolated from one another, by vast distances, were not all of them to be occupied by an invading army, however numerous. In the interior, and particularly the north of Spain, the ground in many parts, is hilly and broken, rising into lofty mountains, with defiles here and there, and in some places, even towns, inaccessible to artillery. The plains of the two Castiles and Estramadura, are scarcely less favorable to invading armies than the rugged regions that separate them from the rest of Spain.—The excessive heat of the climate, and the contagion of intermittent fevers, would be more fatal to an army of strangers, than detachments of natives. The French would have to encounter a great scarcity of provisions, of forage, and a difficulty of transporting these from one place to another.

In the other countries Bonaparte had supplied his magazines from the depots of the countries he invaded, improvidently suffered to fall into his hands. In Spain no such depots were to be found. Out of evil sometimes arises good. In former times there had been in every village of Spain small granaries, called *positos*, where the farmers were obliged to deposit, every year, a certain portion of their harvest as a security against famine. In the last war with Portugal, government had drained those *positos* for provisioning the army, sent against that power, in 1801, and failed in its promise to replenish them. Nor could the farmers ever be persuaded to confide thereafter any portion of their grain or forage to the public granaries.

The Spaniards, of proper age, might form themselves at first into small bodies, and take every advantage to be derived from local knowledge; and when they should be under the necessity of quitting one district, or province, they might retire to another. They could break up roads, cut down bridges, intercept convoys and intelligence, fall upon the enemy on his flanks; and, in short, harass him in all possible ways, without allowing him a moment's repose by night or day. By degrees smaller would be organized into larger masses, and duly trained until a local and raw militia, would become equal, at length, to a regular army. It was a fortunate circumstance, that the Spanish armies had always been recruited upon limited service; by which means there were spread over all the provinces of Spain veterans who had been trained to arms and who could now train others. Nor was it the least favorable circumstance to the cause of the patriots, that both their kings, the old and the new, with their courtiers, and so many suspicious characters, were dancing attendance in the anti-chamber of king Joseph, at Bayonne.—Add to all these favorable circumstances, that the Spaniards were patient under hardships and privations, and many of them accustomed to make long journeys on foot.

(TO BE CONTINUED.)

## CONGRESS.

HOUSE OF REPRESENTATIVES.

*Wednesday, November 13.*—Mr. M'Kim presented the petition of James H. M'Culloch, collector of the port of Baltimore, stating the insufficiency of his emoluments, owing to the operation of the laws restricting our commerce, and praying for relief.—Referred to the committee of ways and means.—Like petitions have been received from some other collectors.

The Speaker communicated to the house a peti-

tion from Matthew Lyon, of Kentucky, stating that he had been prosecuted and convicted, under the sedition law; that one part of his punishment was the payment of a heavy fine, which he prays may be refunded, &c. The petition being read,

Mr. New moved that it be referred, with the accompanying documents, to the committee of claims.

Mr. Basset was opposed to this reference. If the petition had any claim upon the United States, it must be on the ground that the law under which he was convicted was unconstitutional. A claim of this kind could not be recognised by that committee. He thought, therefore, it would be more proper to refer this petition to a select committee.—This was desirable also from the consideration that the committee of claims is generally overburthened with business.

Mr. Randolph, after reminding the house that a committee had been appointed in 1809, "to enquire whether any, and what prosecutions had been instituted before the courts of the United States for libels at common law, and to report such provisions as in their opinion may be necessary for securing the freedom of speech and of the press," which had not reported, and making some general remarks on the subject, moved to amend the resolution by adding to it the following, which was agreed to, and the petition referred:

"With instructions to enquire whether any, and what prosecutions have been instituted before the courts of the United States for libels, under the sedition law or the common law, and by what authority; and to make such provisions as they may deem necessary for securing the freedom of speech and of the press."

*Thursday, November 14.*—The following members form the committee to which Matthew Lyon's petition is referred, viz. Messrs. New, Troup, Cooke, Randolph, Whitehill, Wright and Moseley.

Mr. Rhea, from the committee appointed on the subject, reported a bill providing for the government of the territory of Louisiana, which was twice read and committed. [This bill provides a government of the second grade for Louisiana.]

Mr. Rhea moved the adoption of the following resolution:—Resolved that the committee of commerce and manufactures be instructed to inquire into the expediency of laying additional duties on all coarse manufactures of flax and hemp." Laid on the table.

Mr. Condit laid the following resolution on the table:—"Resolved, that the committee of commerce and manufactures, be instructed to enquire into the expediency of encouraging the manufacture of hemp goods, either by protecting import duties, or by prohibiting the importation of all hempen articles into the United States, with leave to report by bill."

*Friday, November 15.*—Mr. Rhea proposed the following resolution for adoption:—"Resolved, that the committee on Indian affairs be instructed to enquire into the expediency of extending the laws of the United States over those parts of the states and territories of the United States to which the Indian title is not extinguished, in such manner as that all white persons residing within any of the said parts of the United States may and shall be liable to the operation of these laws."

After some remarks on the resolution it was laid upon the table.

Mr. Rhea called up the consideration of the resolution which he laid upon the table yesterday, proposing an additional duty on coarse hemp and flax manufactures.

The resolution was considered, and, on motion, the words "and cotton," were added to it by consent of the mover.

A proposition made by Mr. Grundy to extend the enquiry to manufactures, generally, was ordered to lie on the table—ayes 51, nays 47.

Mr. Milner having made some remarks on the importance of protecting American seamen, stated that protections were fraudulently obtained by many who were not entitled to them, and that the laws made no provision for the punishment of perjury in such cases, offered the following resolution for adoption, which was agreed to:—Resolved, that a committee be appointed to enquire and report whether any, and what amendments are necessary to the laws of the United States relating to the protection of American seamen, and that the committee have leave to report by bill or otherwise."

The house adjourned till Monday.

Monday, December 18.—Mr. Seybert presented the petition of sundry manufacturers of Philadelphia praying for protection.

On motion of Mr. Morrow, it was resolved, "That the committee appointed on the 11th instant, on so much of the petition of the inhabitants of the state of Ohio, as relates to the opening of a certain road to Vincennes, be instructed to report on the expediency of making provision by law, for laying out two roads, agreeably to a treaty with certain Indian tribes held at Brownstown in 1803."

Mr. Rhea, called for the consideration of the resolution which he had laid upon the table a few days ago, for instructing the committee of commerce and manufactures to enquire into the expediency of encouraging the manufacture of coarse hemp, flax and cotton: which being agreed to, some desultory debate took place for and against agreeing to the resolution. It was objected to, because that committee had already the subject of manufactures generally referred to it, and it was unnecessary to give them any special instructions. In support of this resolution, it was said to be a common practice to send instructions to committees; that it had been done, a few days ago, to this committee, in relation to the encouragement of iron manufactures; that without such special instructions, the committee might not have their attention called to the articles in question; and besides this it was wished that the house by such reference, evince their disposition to encourage the manufactures of our country.

After the debate had progressed for some time, Mr. Smilie moved that the resolution lie on the table, which was agreed to; ayes 69.

A resolution was entered into, instructing the committee on public lands, to enquire what alterations ought to be made in the law relating to the location of military land warrants.

Mr. Randolph asked for the consideration of the resolution which he laid on the table some days ago, directing the appointment of a committee to enquire into the expenditure of public money, which being agreed to, he made some remarks thereon, pointing out the utility and necessity of its adoption; it was unanimously agreed to and a committee of seven appointed.

The following resolution was offered by Mr. Dawson:—Resolved, that a committee be appointed to enquire into the expediency of making provision by law, for the relief of infirm and superannuated officers and soldiers of the late revolutionary army, and of the present army of the United States, and report by bill or otherwise." Ordered to lie on the table.

Tuesday, November 19.—The following engrossed bills were read a third time and passed, viz. "A bill to extend the time for opening the several land offices established in the territory of Orleans;" and "a bill for the relief of Abraham Whipple, late a captain in the navy of the United States."

Mr. Dawson called up for consideration the resolution which he yesterday laid upon the table, for appointing a select committee to enquire into the expediency of making provision by law, for infirm, disabled and superannuated officers and soldiers of the revolutionary and present army. It was considered and agreed to without a division. The committee consists of seven members.

On motion of Mr. Rhea, the house went into a committee of the whole, Mr. Nelson in the chair, on the bill for the government of the territory of Louisiana. The bill being read by paragraphs, Mr. Fisk moved to strike out the 5th section of the bill, which makes it necessary for persons to be in possession of a freehold to have a right to vote. This motion was opposed by Mr. Randolph, on principle, in a speech of considerable length, in which he advocated the freehold qualification for voters. The motion was opposed also by Mr. Rhea, as unnecessary for the attainment of the mover's object; as he stated the qualification for voters was two-fold; one was the possession of a freehold, the other a residence of a year previous to the time of election.

Mr. Poindexter made a motion, which superseded that of the gentleman from Vermont, to strike out all that part of the section which defined the qualification of voters, and insert "*every free white male citizen residing in the said territory, who shall have attained the age of 21 years, and paid a tax.*"

This amendment was debated till the usual hour of adjournment, when the committee rose without taking the question, and obtained leave to sit again.

This debate, though protracted to considerable length, embraced a very narrow question, viz. "whether it is better to require voters to hold freehold property, or to suffer every man to possess the privilege of voting who has arrived at the age of 21 years." As already stated, Mr. Randolph took the first ground, and introduced the practice of Virginia to shew that it was attended with the best effects. Messrs. Fisk, Wright, Smilie and Poindexter took the opposite side of the question. They argued that life and liberty are superior to property; that these are dearer to a poor man than all the property of the rich. Mr. Wright said, that the state of Maryland had tried the property qualification for voting, had found it attended with bad effects, and had now abandoned it. It was formerly required, he said, that a voter should be possessed of property to the value of thirty pounds; so that if a man possessed a horse of that value, he was entitled to a vote; but, if the horse happened to die before the election, he lost his privilege, which was placing the right in the horse instead of the man. As to freehold qualifications, they were evaded too by deeds made for the occasion, which were afterwards cancelled.

Mr. Randolph, in combatting the principle of universal suffrage, said that it was impossible for the gentleman himself (alluding to Mr. Smilie) or any piping hot member from a Jacobin club—for any disciple of Tom Paine or of the Devil, to carry this principle of equality to its full extent, for even they must exclude from its operation minors and females. He also took occasion to pronounce a strong philippic against foreigners having any part in the government. Mr. Smilie in his reply, paid a tribute of respect to the memory of Paine, on ac-

count of his valuable political writings, which had been considered as highly serviceable in the revolution, and which would be always esteemed wherever the rights of man are understood, and reminded him of the foreigners who had assisted in fighting our revolutionary battles. Mr. R. justified his allusion to Paine, said he was sorry the gentlemen had not recollected his *Age of Reason*, as well as the *Rights of Man*, and as to any service, which he rendered by his writings, he thought little of them; the heroes engaged in that great cause, did not need the assistance of an English *stay-maker*. In reply, Mr. S. said, he never interfered with a man's religious opinion; that was a private concern which lay between God and a man's own conscience; and as to the profession of Paine, that he apprehended would never lessen the value of his writings.

*Wednesday, November 20.*—Mr. Poindexter presented the petition of the inhabitants of West Florida, praying to be annexed with the Mississippi Territory rather than to the Territory of Orleans. Ordered to be printed.

Mr. Milnor stated that the present compensation to witnesses who are compelled to appear in the courts of the United States is very inadequate. Several distressing cases of this kind had occurred in Pennsylvania. To remedy the evil, Mr. M. proposed the adoption of the following resolution:

"Resolved, that a committee be appointed to enquire into the expediency of providing by law for the compensation of witnesses held under recognition to give testimony in criminal prosecutions in courts of the United States, with leave to report by bill or otherwise."

Agreed to, and a committee of three appointed.

The following members form the committee for considering the expediency of providing by law for the relief of disabled soldiers, viz. Messrs. Dawson, Blount, Butler, Davenport, Ormsby, Gold and Fisk.

*Thursday, November 21.*—The house appears to have been this day very busily employed in doing nothing. Mr. Findley, from the committee of elections reported in part, on the case of the contested election of John P. Hungarford of Virginia; the report was unfavorable to the sitting member, but recommended delay in order to obtain further information. The report and documents were ordered to be printed.

#### IN SENATE.

*Wednesday, November 20.*—Mr. Smith of (Md.) presented the memorial of the religious society of Friends of the yearly meeting held at Baltimore for the western shore of Maryland, the adjacent parts of Pennsylvania and Virginia and the state of Ohio, complaining against the traffic which has been carried on in negroes and people of colour from the middle to the southern states, in which people of colour entitled to freedom are frequently carried off, praying for a revision of the law of congress in relation to this subject. Referred to a committee consisting of Messrs. Smith of Md. Taylor and Tait.

#### The Chronicle.

Many petitions have been presented to congress praying the passage of a law to enable the memorialists to import goods from Great-Britain and her dependencies, purchased before the issuing of the president's proclamation, all which were referred to the committee of commerce and manufactures.

General Robert Bowie (rep.) was elected governor of the state of Maryland, without opposition, on Monday, the 12th inst. George E. Mitchell, John Stephen, James Butcher, Thomas W. Hall and Reter-

dy Ghieslin, Esquires, were appointed his council on the following day.

We have no official intelligence from the army on the Wabash.

The ship *Cordelia* has arrived at Philadelphia from *Batavia*, turned off from that place by the British blockading squadron—the officers of which informed the captain of the *Cordelia* that the Dutch governor had burnt the city and retired to the interior with the troops and inhabitants.

Many vessels from France have lately arrived in the ports of the United States with valuable cargoes. The United States' frigate *Constitution* was at Cherbourg about 40 days since. The emperor had gone to Holland, whither he had been followed by our new minister, Mr. Barlow. The accounts, generally, afford us practical evidence of the repeal of the *French decrees*. Several vessels under seizure have been released, but no new seizures have been made.

We have Lisbon accounts to the 7th ult.—but no news. The armies remained inactive. The markets were improving—flour \$ 15.

Late London papers have been received. The king was still alive, and the battle between *Cris* and *Molineaux* (the American negro) had been fought. London was depopulated of its nobility and gentry, and thousands of persons travelled hundreds of miles to enjoy the *refined* spectacle!—*Molineaux* lost the battle—his jaw-bone and three of his ribs were broken at the eleventh round.

#### The Editor's Department.

Aided by a SUPPLEMENT to No. 11, issued with the present, we have got through the pressure of the documents accompanying the president's message, in which the reader possesses a complete history of the transactions of our government with the nations of Europe to which they relate. With the correspondence of Mr. Erving, our special minister at the court of Denmark, we shall progress leisurely; and, this series being completed, we shall then have laid the whole body of the documents before our patrons, except the official account of the proceedings of the court martial on commodore *Rodgers*; which, if found to differ in any material point from that already inserted, shall be properly noticed. But we have yet other documents of greater importance, because they more immediately interest us, as Americans, to publish, we allude to the reports of the several secretaries, particularly those of the secretaries of state and of the treasury, on the *population and manufactures* of the United States. The first has been received, from which it appears that the whole population of the United States and their territories, is 7,239,903.—In our next it shall be published in detail, contrasted with the enumerations of 1790 and 1800, and such other facts of an earlier date as we have been able to collect. While speaking of the documents, a just regard to our own interest may warrant a declaration of the fact, that they alone, as we shall publish them, cannot be obtained in a book-form, fit for preservation and reference, for less than double the amount of the whole annual subscription to the *Weekly Register*.

We have on hand many valuable articles of miscellany, which shall appear as soon as possible.

"Like causes produce the like effects"—the first four numbers of the *WEEKLY REGISTER* are not yet re-printed, for the reason given in our last—we expect to forward them in about 10 or 15 days, to all the new subscribers who have not received them.