

# Farmer's Repository.

VOL. II. CHARLES TOWN, (Jefferson County, Virginia,) PRINTED BY RICHARD WILLIAMS. No. 91.  
TWO DOLLARS PER ANNUM, FRIDAY, DECEMBER 22, 1809. PAYABLE ONE HALF IN ADVANCE.

(Continued from the 1st page.) rally assumed, yet such has been the tendency of some of your remarks, and particularly of the conclusion you have drawn from the two circumstances, 1st. That no trace of complaint from this government against the disavowal appears in the records of the British mission, or was distinctly announced by me in our conferences, and 2d. that from the official correspondence of Mr. Erskine with his government, it appears, that although he did not communicate in extenso his original instructions, he submitted to me the three conditions therein specified and received my observations on each.

If there be no trace of complaint against the disavowal in the archives of the mission, it is because this government could not have entered such complaint before the reasons for the disavowal had been explained, and especially as the explanations were justly and confidently expected through the new functionary. And as to the supposed reserve on my part on this subject in our several conferences, I did imagine, that my repeated intimations to you of the necessity of satisfactory explanations, as to the disavowal, were sufficient indications of the dissatisfaction of this government with respect to the disavowal itself.

The stress you have laid on what you have been pleased to flate as the substitution of the terms finally agreed on, for the terms first proposed, has excited no small degree of surprize. Certain it is, that your predecessor did present for my consideration the three conditions which now appear in the printed document—that he was disposed to urge them more than the nature of two of them (both palpably inadmissible and one more than merely inadmissible) could permit, and that on finding his first proposals unsuccessful, the more reasonable terms comprized in the arrangement respecting the orders in council were adopted. And what, sir, is there in this to countenance the conclusion you have drawn in favor of the right of his Britannic Majesty to disavow the proceeding? Is any thing more common in public negotiations than to begin with a higher demand, and that falling, to descend to a lower? To have, if not two sets of instructions, two, or more than two grades of propositions in the same set of instructions, to begin with what is the most desirable, and to end with what is found to be admissible in case the more desirable should not be attainable. This must be obvious to every understanding, and it is confirmed by universal experience.

What were the real and entire instructions given to your predecessor is a question essentially between him and his government. That he had, or at least that he believed he had sufficient authority to conclude the arrangement, his formal assurances, during our discussions, were such as to leave no room for doubt. His subsequent letter of the 15th June, renewing his assurance to me "that the terms of the agreement so happily concluded by the recent negotiation will be strictly fulfilled on the part of his Majesty," is an evident indication of what his persuasion then was as to his instructions. And with a view to them what his impressions have been even since the disavowal, I must take the liberty of referring you to the annexed extracts (See C.) from his official letters of the 14th of August.

The declaration "that the despatch from Mr. Canning to Mr. Erskine of the 23d January is the only despatch by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement on the matter to which it relates" is now for the first time made hardy add, that if that despatch had been communicated at the time of the arrangement, or if it had been known that the propositions contained in it and which were at first presented by Mr. Erskine, were the only ones on which he was authorized to make an arrangement, the arrangement would not have been made.

As you have disclaimed any authority to offer explanations for the disavowal, as you have been willing to ascribe the want of such authority to the consideration that other channels had been preferred, and as you have even considered the circumstances under which the arrangement took place to be such as could only lead to a disavowal, and therefore as superseding the necessity of any explanation whatever, it is to be regretted, that you had not deemed it proper to render precise and explicit, that part of your let-

ter which seems to imply that you had in our conversations, in relation to the affair of the Chesapeake, following the words of your instructions, held out not only the manner in which the reparation had been accepted, but even the form in which it had been tendered, as warranting his Majesty in even retracting the offer of reparation, and that you had elucidated the observation by a reference to the particular expressions which, at all events, put it totally out of his power to confirm any act containing them.

Whatever may have been your intention in this part of our conversation, or whatever may be the import of the passage to which I have just alluded, I have now the honor of signifying to you, that I am authorized to receive in a proper form whatever explicit explanations you may chuse to make, with respect to the grounds of this part of the disavowal; and without enquiring whether your authority be derived from instructions that have been addressed to yourself, or that have devolved on you as the successor of the minister who had declined to execute them.

As you have, at the same time, been pleased to say that his Britannic Majesty had authorized you to render an offer of satisfaction which Mr. Erskine

accepted by the U. States, and that you would have shewn in what the reparation thus tendered differed from his instructions. And when I had the honor to intimate that in order to avoid the misconception incident to oral proceedings, it was thought expedient that our further discussions on the present occasion should be in the written form, there was no part of the subject to which that intimation applied with more force than the case of the Chesapeake; none on which it was more desirable to avoid misconceptions and to obtain a precise knowledge of the propositions which you were authorized to make, not only because I did not really understand the particulars of the offer as distinctly as you seem to have supposed, but also because on that point, and on that alone, you had expressly flated that you had propositions to make, and that you were authorized to carry them into immediate execution.

On the subject of the orders in council, the President perceives with sentiments of deep regret, that your instructions contemplate, neither an explanation of the refusal of your government to fulfil the arrangement of that branch of the existing differences, nor the substitution of any other plan of adjustment, nor any authority to conclude any agreement on that subject; but merely to receive and discuss proposals, that might be made to you on the part of the U. States; and these, it appears, must include a stipulation on the part of the U. States to relinquish the trade with the enemies' colonies, even in branches not hitherto interrupted by British orders for capture, and also a sanction to the enforcing of an act of Congress by the British navy.

Were the way properly opened for formal propositions from this government, a known determination on the part of his Britannic Majesty to adhere to such extraordinary pretensions would preclude the hope of success in such advances, whether regard be had to the conditions themselves, or to the disposition they indicate, in return for the conciliatory temper which has been evinced by the U. States.

As to the demand in relation to the colonial trade, it has been the less apprehended, as it is not in itself connected, nor has it ever before been brought into connection, either with the case of the Chesapeake, or with that of the Chesapeake. And it was reasonably to be presumed, if the idea of such a condition had in the first instance proceeded from the erroneous belief that it was not objectionable to the U. States, that it would not have been persisted in after that error had been ascertained and acknowledged.

The other demand could still less have been apprehended. Besides the inevitable and incalculable abuses incident to such a license to foreign cruisers, the stipulation would touch one of those vital principles of sovereignty, which no nation ought to have been expected to impair. For where would be the difference in principle between authorizing a foreign government to execute, and authorizing it to make laws for us?—Nor ought it to be supposed that the sanctions and precau-

tions of a law of the U. States, in the cases of the prohibited trade in question, would prove inefficacious for its purposes.

(Continued on the 2d page.)

## Take Notice.

I AM going to move from this place to Battletown, in about ten days from this. All persons indebted to me are requested to call and discharge their respective balances before the ninth instant. If money is not convenient, I will receive merchantable wheat at six shillings and six pence per bushel, delivered at Mr. John Downey's or Mr. Samuel McPherson's mill. Those persons failing to comply with the above request, may rely on their accounts being put into the hands of proper officers for collection, without discrimination.

JOHN HAYNIE.  
Charlestown, Dec. 1, 1809.

## Office of the Superior Court,

Holden for Jefferson County.

I HAVE removed the office of the Superior Court, holden for Jefferson County, to the house occupied by Mr. John Haynie.

ROBERT C. LEE.  
Charlestown, Nov. 24, 1809.

## To Rent.

THE subscriber will rent the house which Mr. John Haynie occupies, in the back street, (except one small room, which he will occupy as an office.) The lot with all other buildings thereon, will also be rented. Possession will be given on the first of January next.

ROBERT C. LEE.  
Charlestown, Dec. 1, 1809.

## Forty Dollars Reward.

RAN AWAY from the Flowing Spring Farm, about a year ago, a Negro Man named WILL, about 23 years of age, light complexion, and nearly six feet high. He is supposed to be lurking in the neighborhood of Charlestown, as he was seen a few days since, at Thornton Washington's quarter, where he has a wife. The above reward will be paid for securing said negro in jail, or delivering him to John Briscoe, esq. near Charlestown.

SAMUEL BRISCOE.  
November 24, 1809.

## CAUTION.

WHEREAS my wife Susannah has left my bed and board without cause or provocation, I do hereby forewarn all persons from trusting her on my account, as I am determined to pay no debts of her contracting from the date hereof.

All persons are cautioned against harboring her at their peril.

ARCHIBALD STEWART.  
Jefferson county, Dec. 1, 1809.

## NOTICE.

FOR the convenience of those persons who were purchasers at the sale of my father's estate, I have deposited their obligations with Mr. Daugherty. As the estate is indebted, promptness of payment is expected.—Those obligations were due the 25th ult.

WM. TATE.  
December 1, 1809.

## Five Dollars Reward.

STRAYED from the subscriber, living at Harper's Ferry, about the first of last June, a small black milch COW, about seven years old, middling small crooked horns, no ear mark recollected. The above reward will be given for the above Bray, with all reasonable expenses if brought home.

WM. STEPHENSON.  
November 17, 1809.

## VINE COMPANY

OF PENNSYLVANIA.

THE Managers of the Vineyard at Spring Mill, conceive it a duty they owe to the lovers of the VINTAGE in the United States, to inform that they have a large number of fine Plants and Cuttings of various kinds for sale, at very reasonable prices, for this autumn and next spring's planting. Orders addressed to Mr. Bernard M. Mahon, Seedsman and Flowerist, in Philadelphia, or to Peter Legaux at the Vine Yard, (post paid) shall be carefully attended to.

Printers in this and the neighboring States, friendly to the cultivation of this delicious Fruit, will confer a favor, by inserting the above once or twice in their useful papers.

November 17, 1809.

## Tailoring Business.

THE subscriber informs the public that he still continues to carry on the above business in Charlestown. He returns his sincere thanks to his friends and the public in general for their past support, and hopes by assiduity and attention to merit a continuance of their patronage. He has just received the latest fashions, which will enable him to serve ladies and gentlemen in the first style. Those who may please to favor him with their custom may rely on having their work executed with punctuality and neatness.

HENRY SKAGGS.  
October 26, 1809.

## Stevenson & Griffith,

TAILORS,

RESPECTFULLY inform the inhabitants of Charlestown and its neighborhood, that they have lately commenced the TAILORING BUSINESS in Mrs. Frame's house, near Mr. Haines' tavern, where they are ready to receive work. They will always careful to execute their work in the most serviceable and fashionable manner. They are acquainted with the newest fashions, and have no doubt but they shall be able to give full satisfaction to those who will please to patronize them with their custom.

Charlestown, Nov. 17, 1809.

## Fulling and Dying.

THE subscriber respectfully informs his friends and the public, that he has taken that new and elegant Fulling Mill, the property of Mr. Benjamin Beeler, three miles from Charlestown, where he intends to carry on the Fulling Business in all its various branches. The mill being erected on a new plan, and water always sufficient, he hopes to give full satisfaction to all those who will favor him with their custom.

SILAS GLASCOCK.  
September 22, 1809.

## Jefferson, act.

October Court, 1809.

George Newkirk, Complainant,

against

John Maxwell Swann, William Swann, David Carothers Swann, and Robert Joseph Swann, children and heirs of Joseph Swann, deceased.

Defendants.

## IN CHANCERY.

THE defendants not having entered their appearance agreeably to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court that the said defendants are not inhabitants of this State: On the motion of the complainant, by his counsel, it is ordered that the said defendants do appear here on the second Tuesday in December next, to answer the Bill of the said complainant, and that a copy of this order be forthwith inserted in the Farmer's Repository, published in Charlestown, for two months successively, and published at the court house door of Jefferson county.

A copy. Teffe,

GEO. HITE, CLK.

## Negroes for Sale.

THE subscriber will offer at public sale, to the highest bidder, for ready money, at this place, on the first day of January next, a number of very likely negroes, Men, Women, Boys, and Girls, including several Tradesmen, a good Cook, &c.

F. FAIRFAX.  
Shannon Hill, near Charlestown,  
Jefferson County, Va. Nov. 10.

## House and Lot for Sale.

THE subscriber offers for sale his House and Lot, in Charlestown, on the main street leading to Alexandria. The dwelling house is two stories high, with a good cellar, kitchen, smoke-house, and stable. Back land will be taken in part payment for this property, or will be sold very low for cash. An indisputable title will be given to the purchaser.

JOHN WARE.  
July 21, 1809.

## JUST PUBLISHED.

And to be had at this Office,

A POLITICAL WORK, ENTITLED

THE WHOLE TRUTH.

PRICE 25 CENTS.

## RAGS.

The highest price given for clean lines and cotton rags at this Office.

## JACKSON'S CORRESPONDENCE.

Continued.

MR. JACKSON TO MR. SMITH.

Washington, 23d Oct. 1809.

Sir, The letter, which you did me the honor to address to me on the 19th inst. was delivered to me on the following day. I shall, without loss of time, transmit it to my court, where the various and important considerations which it embraces will receive the attention due to them. In the interval, I would beg leave to submit to you the following observations, as they arise out of the communications that have already occurred between us.

In fulfilling a duty which I conceive to be due to my public character, I must never suggest, nor mean to suggest, that the mode of negotiating prescribed by you on this particular occasion—an occasion selected for the purpose of removing existing differences—was otherwise objectionable, than as it appeared to me, to be less calculated, than it does to you, to answer the professed purpose of our negotiation.

It was against the general principle of debarring a foreign minister, in the short space of one week after his arrival, and without any previous misunderstanding with him, from all personal intercourse, that I thought it right to protest. Since however I find by your letter that it is not intended to apply that principle to me, I will only observe, that in the case which you mention to have occurred between Mr. Canning and Mr. Pinkney, the consequences were held, under an expectation at least on the part of the former, of their leading to a written communication, whereas in ours, I, from the beginning, flated that I had no such communication to make. There is also this essential difference between the two cases; that Mr. Pinkney was charged to convey an important proposal to His Majesty's government, the particulars of which it might be very material to have correctly flated, whilst the object of that part of my conversation, to which you seem to attach the most importance, was to say, that I was not charged to make any proposal whatever.

It could not enter into my view, to withhold from you an explanation, merely because it had been already given, but because, having been so given, I could not imagine, until informed by you, that a repetition of it would be required at my hands. I am quite certain that His Majesty's government having complied with what was considered to be the substantial duty imposed upon it on this occasion would, had this been foreseen, have added to the proofs of conciliatory good faith already manifested, the farther complacency to the wishes of the U. States of adopting the form of communication ready money, at this place, on the first day of January next, a number of very likely negroes, Men, Women, Boys, and Girls, including several Tradesmen, a good Cook, &c.

F. FAIRFAX.  
Shannon Hill, near Charlestown,  
Jefferson County, Va. Nov. 10.

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of fact Mr. Erskine had no such graduated instruction. You are already acquainted with that which was given, and I have had the honor of informing you that it was the only one by which the conditions on which he was to conclude were prescribed. So far from the terms, which he was actually induced to accept, having been contemplated in that instruction, he himself flates that they were substituted by him in lieu of those originally proposed.

It may perhaps be satisfactory that I should say here that I most willingly subscribe, on this occasion, to the highly respectable authority which you have quoted, and I join issue with you upon the essentials which that authority requires to constitute a right to disavow the act of a public minister.

It is not immaterial to observe on the qualification contained in the passage you have quoted—as it implies the case of a minister concluding in virtue of a full power. To this it would suffice to answer that Mr. Erskine had no full power; and his act consequently does not come within the range of your quotation, although it cannot be forgotten that the U. States have, on no very distant period, most freely exercised the right of withholding their ratification from even the authorized act of their own diplomatic agents, done under the avowed sanction of a full power.

I conceive that what has been already said establishes beyond the reach of doubt or controversy that His Majesty's minister did violate his instructions, and the consequent right in His Majesty to disavow an act so concluded. That His Majesty had strong and solid reasons for so doing will appear not only from his instructions having been violated, but from the circumstance that the violation of them involved the sacrifice of a great system of policy deliberately adopted and acted upon in just and necessary retaliation of the unprecedented modes of hostilities resorted to by his enemy.

There appears to have prevailed throughout the whole of this transaction a fundamental mistake, which would suggest that His Majesty had proposed to propitiate the government of the U. States in order to induce it to consent to the renewal of the commercial intercourse between the two countries; as if such had been the relations between G. Britain and America, that the advantages of that intercourse were wholly on the side of the former; and as if in any arrangement, whether commercial or political, His Majesty could condescend to barter objects of national policy and dignity for permission to trade with another country.

Without minutely calculating what may be the degree of pressure felt at Paris by the difference in the price of goods whether landed at Havre or at Hamburg, I will, in my turn, appeal to your judgment, sir, whether it be not a strong and solid reason, worthy to guide the councils of a great and powerful monarch, to set bounds to that spirit of encroachment and universal dominion which would bend all things to its own standard? Is it nothing in the present state of the world, when the agents of France authoritatively announce to their victims "that Europe is submitting and surrendering by degrees," that the world should know, that there is a nation which that Divine goodness so strongly appealed to in the paper to which I allude,\* is enabled to satisfy the assertion? Is it not important at such a moment, that Europe and America should be convinced, that from whatever countries honorable and manly resistance to such a spirit may have been banished, it will still be found in the sovereign of the British nation and in the hearts of his subjects?

As to the precautions taken in England to insure from injury upon this occasion the citizens of the U. States, and which appear to you to be even yet insufficient, I am confident that in every doubtful case the usual liberality of our tribunals will be exercised in de-

\* Augereau's proclamation to the Catalonians.

termining upon the circumstances of it; and it was at Mr. Pinkney's express requisition, that additional instructions were given to the commanders of His Majesty's ships of war and privateers to extend to vessels trading to the colonies, plantations and settlements of Holland, the same exemption from capture and molestation, as was granted to vessels sailing for any of the ports of Holland.

On the subject of return cargoes from those ports, I must observe, that although it was intended to prevent as far as was practicable the inconveniences likely to be created by the unauthorized agreement made here in April last, yet it was not and could not be intended to obviate all possible inconveniences, even such as might have arisen if no such agreement had ever been made.

If an American vessel had sailed from America for Holland in time of profound peace, or in time of war, the ports of Holland not being at the date of sailing under blockade, it might yet have happened that, in the period between the commencement of such voyage and the arrival of the vessel at the port of destination, a blockade might have been established before that port. The vessels arriving would, in that case, have been warned not to enter the port, and would have been turned away with the loss of the whole object of the voyage. This would be no extraordinary hardship, and would afford no legitimate ground of complaint.

The order in Council is far less strict than such a blockade would be, for as much as it provides for the original voyage, commenced in expectation of being admitted to the port of destination, by permitting the entry into the ports of Holland; and it is no just ground of complaint, that it does not superadd to that permission the liberty to re-export a cargo of the enemy's goods or produce.

I beg leave briefly to recapitulate the substance of what I have had the honor to convey to you as well in a verbal, as in written communications. I have informed you of the reasons of His Majesty's disavowal of the agreement so often mentioned; I have shewn them, in obedience to the authority which you have quoted, to be both strong and solid, and such as to outweigh, in the judgment of His Majesty's government, every other consideration which you have contemplated; I have shewn that that agreement was not concluded in virtue of a full power, and that the instructions, given on the occasion, were violated.

Beyond this point of explanation which was supposed to have been attained but which is now given, by the present letter, in the form understood to be most agreeable to the American government, my instructions are prospective; they look to substituting notions of good understanding, erroneously entertained, practical stipulations on which a real reconciliation of all differences may be substantially founded; and they authorize me, not to renew proposals which have already been declared here to be unacceptable but to receive and discuss any proposal made on the part of the U. States, and eventually to conclude a convention between the two countries. It is not, of course, intended to call upon me to flate as a preliminary to negotiation, what is the whole extent of those instructions; they must, as I have before said, remain subject to my own discretion, until I am enabled to apply them to the overtures, which I may have the honor of receiving from you.

I have the honor to be,

With great respect,

Sir,

Your most obedient humble serv't,

F. J. JACKSON.

The Hon. Robert Smith, &c. &c. &c.

Mr. Jackson to Mr. Smith.

Washington, 27th October, 1809.

Sir,

Finding by your letter of the 19th inst. that, notwithstanding the frequent statements made by me in our conferences of the terms of satisfaction which

I am empowered to offer to this country for the unauthorized attack made by one of His Majesty's ships of war upon the Frigate of the U. States, the Chesapeake, I have not had the good fortune to make myself distinctly understood by you. I have the honor to inclose herewith a paper of memoranda containing the conditions on the basis of which I am ready to proceed to draw up with you the necessary official documents in the form proposed in my letter of the 11th inst. or in any other form upon which we may hereafter agree.

I have the honor to be, with great respect,

Sir,

Your most obedient

Humble Servant,

F. J. JACKSON.

The hon. of Robert Smith, &c. &c. &c.

The President's Proclamation of July 1807, prohibiting to British ships of war the entrance into the Harbors of the U. States having been annulled, His Majesty is willing to restore the Seamen taken out of the Chesapeake on reserving to himself a right to claim, in a regular way, by application to the American Government, the discharge of such of them (if any) as shall be proved to be either natural-born subjects of His Majesty, or deserters from His Majesty's service.

His Majesty is willing to make a provision for the families of such men as were slain on board the Chesapeake, in consequence of the unauthorized attack upon that Frigate, provided that such bounty shall not be extended to the family of any man who shall have been either a natural-born subject of His Majesty, or a deserter from His Majesty's service.

Mr. Smith to Mr. Jackson.

Department of State, Nov. 1, 1809.

Sir,

Your letter of the 23d ult. which was duly received, would have been sooner acknowledged, had I not by sickness been rendered for several days utterly unfit for business.

Although the delay and the apparent reluctance in specifying the grounds of the disavowal of the arrangement with respect to the orders in council, do not correspond with the course of proceeding deemed most becoming the occasion; yet as the explanation has at length been thus made, it only remains, as to that part of the disavowed arrangement, to regret that such considerations should have been allowed to outweigh the solid objections to the disavowal; it being understood at the same time that his Britannic Majesty perseveres in requiring as indispensable conditions on the part of the U. States, an entire relinquishment of the right to trade with enemies' colonies, and also permission to the British navy to aid in executing a law of Congress; pretensions, which cannot but render abortive all proposals whatever upon this subject, whether made by the U. States or by his Britannic Majesty.

Whilst you have deemed it proper to offer an explanation with respect to the disavowal of one part of the arrangement, I must remind you that there is not to be found in your letter any like specification of the reasons for the disavowal, nor particularly is it shewn that instructions were violated, as to the other part, viz. the case of the Chesapeake; the case in which in an especial manner an explanation was required, and in which only you professed to have authority to make to this government any overtures.

For the first time it is now disclosed that the subjects, arranged with this government by your predecessor, are held not to be within the authority of a Minister Plenipotentiary, and that, not having had a "full power distinct from that authority, his transactions on those subjects might of right be disavowed by his government." This disclosure, so contrary to every antecedent supposition and just inference, gives a new aspect to this business. If the authority of your predecessor did not embrace the subjects in question,

(Continued on the 4th page.)

(Concluded from the 2d page.)

This Minister would, of course, have been provided with a full power; but Mr. Erskine was to be guided by his instructions, and had the agreement concluded here been conformable to them, it would without doubt have been ratified by his Majesty. I must beg your very particular attention to the circumstance that his Majesty's ratification has been withheld, not because the agreement was concluded without a full power, but because it was altogether irreconcilable to the instructions on which it was professedly founded.—The question of the full power was introduced by yourself to give weight, by a quotation from a highly respected author, to your complaint of the disavowal, in answer to which I observed that the quotation did not apply, as Mr. Erskine had no full power. Never did I imagine, or anywhere attempt, to ref the right of disavowal upon that circumstance:—indubitably, his agreement would, nevertheless, have been ratified, had not the instructions, which in this case took the place of a full power, been violated.

I am surprized at the transition by which it appears to you that this part of the subject is connected with the authority empowering me to negotiate with you. It will not, I dare say, have escaped your recollection that I informed you at a very early period of our communications, that in addition to the usual credential letter, his Majesty had been pleased to invest me with a full power under the great seal of his kingdom, for the express purpose of concluding a treaty or convention. I well remember your testifying your satisfaction at the circumstance; and I have only now to add that I am ready, whenever it suits your convenience, to exchange my full power against that with which you shall be provided, for the progress of our negotiation.

I am concerned, sir, to be obliged a second time to appeal to those principles of public law under the sanction and protection of which I was sent to this country. Where there is not freedom of communication in the form substituted for the more usual one of verbal discussion, there can be little useful intercourse between Ministers; and one, at least, of the epithets which you have thought proper to apply to my last letter is such as necessarily abridges that freedom. That any thing therein contained may be irrelevant to the subject it is of course competent in you to endeavour to shew and as far as you succeed in so doing, in so far will my argument lose of its validity—but as to the propriety of my allusions, you must allow me to acknowledge only the decision of my own sovereign, whose commands I obey, and to whom alone I can consider myself responsible. Beyond this it suffices that I do not deviate from the respect due to the government to which I am accredited.

You will find that in my correspondence with you, I have carefully avoided drawing conclusions that did not necessarily follow from the premises advanced by me, and least of all should I think of uttering an insinuation, where I was unable to substantiate a fact. To facts, such as I have become acquainted with, I have been scrupulously adhered, and in so doing I must continue, whenever the good faith of his Majesty's government is called in question, to vindicate its honor and dignity in the manner that appears to me best calculated for that purpose.

I have the honor to be, with great respect,

Your most obedient,  
Humble Servant,  
F. J. JACKSON.

MR. SMITH TO MR. JACKSON.  
Department of State, Nov. 8, 1809.

Sir,  
In my letter of the 19th ult. I stated to you that the declaration in your letter of the 11th, that the despatch "from Mr. Canning to Mr. Erskine of the 23d January, was the only despatch by which the conditions were prescribed to Mr. Erskine, for the conclusion of an arrangement on the matter to which it related, was then for the first time made to this government." And it was added, that if that despatch had been communicated at the time of the arrangement, or if it had been known that the propositions contained in it were the only ones on which he was authorized to make an arrangement, the arrangement would not have been made.

In my letter of the 1st inst. advert-

ing to the repetition in your letter of the 23d ult. of a language implying a knowledge in this government that the instructions of your predecessor did not authorize the arrangement formed by him, an intimation was distinctly given to you, that after the explicit and peremptory asseveration that this government had not any such knowledge, and that with such a knowledge such an arrangement would not have been made, no such insinuation could be admitted by this government.

Finding that in your reply of the 4th inst. you have used a language which cannot be understood but as reiterating and even aggravating the same gross insinuation, it only remains, in order to preclude opportunities which are thus abused, to inform you that no further communications will be received from you, and that the necessity of this determination will, without delay, be made known to your government.

I have the honor to be, &c.  
(Signed) R. SMITH.  
The hon. Francis J. Jackson, &c. &c.

EXTRACT  
From the Message of Governor Tyler, to the Legislature of Virginia.

"It would have afforded me great consolation, and I am sure no less to the Legislature of my country, could it have been in my power, from events more favorable than are now passing, to have announced the prospect of an happy adjustment of the existing differences between the U. States and the two great contending powers of Europe. But too many aggravating circumstances have recently occurred (more especially as they relate to Great Britain) to permit a hope, that so happy an issue will take place in a short period. That nation has always been governed by her pride and her prejudices; or why has she seen through so false a medium? Why has she been so long the dupe of her own weakness, and the misrepresentations of her general agents? The similarity of language between this country and that, and our connections with it by blood, always had more influence on our conduct than was good for our political safety and happiness. Her commerce flowed uninterruptedly through every channel that watered our land, and returned full freighted with the fruits of her industry and enterprise. That commerce so fascinating in the present state of society, and so inviting to avarice, seized on our affections and bound us in chains indissoluble as adamant. Hence the opposition to those measures which alone would have been efficient, if they had been rigorously enforced; & hence arose those bitter animosities which have poisoned the sources of social intercourse between our fellow citizens, & tended to disunite them and distract our councils. The embargo was the system which was best calculated to ensure success; and long will it be regretted that want of resolution to forego the advantages of a degraded commerce, and want of sound patriotism to enforce that measure, should have reduced our country to a dilemma, scarcely recollected to have occurred in the history of nations. But notwithstanding the disgraceful violations of the law, which have fixed an indelible stain on the characters of too many of our countrymen; its pressure was so severely felt, that aided by the failure of the combined forces in Spain, an epoch was produced, in which something like a friendly termination of our differences seemed to be promised.—Overtures were made by the British government for accommodation, which were met by the President of the U. States with that promptitude and candour, which characterize the great and good of every country. Stipulations were entered into on both sides, preliminary to full and free negotiation on all the points in dispute. Every thing required by those stipulations was performed on our part with good faith.—The militia, which had been organized and held in readiness to meet aggression, whenever it might be offered by any power, was discharged; & the suspension of our commercial intercourse was taken off; and a fair and wide road was opened for the completion of what appeared to have been happily begun. But mark the issue! A new era arose on the continent, in which a final broke was aimed at the power of France, (puerile indeed! for every unsuccessful attempt has only added strength to that power;) the flores of G. Britain were filled with American supplies;

the complaints arising from hunger, want and misery, were appeased; and that government scrupled not to disavow the act of its Minister Plenipotentiary, under the shameful pretext of its being unauthorised; as if the injury were not the same to us, and as if their government was not benefited by the measure, and bound to ratify and sanction it, on every principle of good faith and sound morality.

"Thus have we seen and felt injury following injury, from the commencement of the revolution to the present day; and negotiation succeeding negotiation, without any satisfaction for what had passed, or any security against future hostility; and thus have we seen too, all those rules which bind nations as well as individuals in the sacred bonds of justice, charity and benevolence, totally disregarded, and a new order of things introduced altogether disgraceful to civilized man.—"Shall I not visit for these things, saith the Lord?" Nor has France acted up to those principles which she professes so much to admire and support—I mean the rights of neutrals and the freedom of the seas. For notwithstanding the peaceful attitude we have taken, unjust and severe wounds, (though not so frequent, nor yet so vitally fatal in their consequences,) have been inflicted by her on our rights and national honor, under the idea of our attachment to G. Britain, which was supposed to have influenced our measures, and to have counteracted her policy. For one nation to retaliate on another by which it is injured, is certainly justifiable: But what can justify or even excuse the act which inflicts a wound upon an innocent neutral, to come at an enemy?—Why not suffer the inconveniences arising from the unlawful acts of some of our anomalous citizens, rather than violate all those ancient maxims which were so much revered in former times, and which are the only means of sustaining a good understanding with the world? It remains for that nation to wipe this stain from its splendid achievements, by a proper explanation and renunciation of its measures.

"Under circumstances so unfriendly we have little to hope from the philanthropy of foreign nations, but nothing to fear for our national character and independence, provided we unite in the general support of our principles and government. It is time, therefore, to assume a station which will bid defiance to any power, and put an end to that party spirit, which has taught those nations to believe, that we have gone from the just standard of honest measures, and could be easily made a victim to intrigue or force. We have talked long enough of our rights and our national honor, let us now prepare to defend them. It was the want of union, and of sincere love of country, that caused so many discomfures of the European powers in their conflicts with France. But for an union of honest sentiments and measures among our citizens, from the beginning to the end of our revolution, America must still have remained under colonial degradation. Let that union now be the rock of our salvation; and let us no longer persist in the fatal policy which has so distracted the nation and paralyzed its councils. Let us again rally around our own government, and convince mankind, that we can neither be seduced, on the one hand by intrigue, nor driven on the other, by force, to surrender that liberty which was acquired by our fathers at the expence of so much blood and treasure. Let us prepare for the worst, and be ready to execute with vigour, whatever may be the determination of the general government, to which belongs the constitutional right to decide on the momentous subjects which must fall under their deliberation at their present sitting.

### CONGRESS.

IN SENATE—Dec. 11.

Recruiting Service.  
The bill to repeal an act, entitled "an act to suspend for a limited time the Recruiting Service," was read a second time.

Mr. Leib observed that it was the usual course of business to refer a bill introduced by a member to a select committee on its second reading. Not willing to travel out of the usual routine of business, he made that motion in relation to this bill.

Mr. Giles observed that if he could ascertain the object of a commitment, he should have no objection to it; but that this was a bill not susceptible of

modification, containing but one principle, and the sooner it was acted on the better. He was therefore opposed to commitment.

Mr. Leib said he had only made the motion in deference to the usual practice of the Senate. He was also of opinion that the sooner it was acted on the better; and, on the suggestion of the gentleman from Virginia he withdrew the motion for reference.

The bill was then ordered to be engrossed for a third reading.

Rupture with Mr. Jackson.  
The resolution approving the conduct of the Executive in refusing to receive any further communication from Mr. Jackson, the British Minister, was read a third time; and, without debate, on the motion of Mr. Goodrich, was decided by yeas and nays as follows:

YEAS.—Messrs. Bradley, Brewster, Condit, Crawford, Gaillard, German, Giles, Gilman, Gregg, Griswold, Lambert, Lieb, Meigs, Mathews, Parker, Pope, Reed, Smith of N. H., Sumpter, Turner.—20.

NAYS.—Messrs. Goodrich, H. House, Loyd, Pickering.—4.

[Absent on this vote Messrs. Anderson, Bayard, Champlin, Franklin, Robinson, Smith, of N. J., Tallmadge, Thurlton, and Whitesides; of whom those in *italic* have not appeared.]  
Under the idea of our attachment to G. Britain, which was supposed to have influenced our measures, and to have counteracted her policy. For one nation to retaliate on another by which it is injured, is certainly justifiable: But what can justify or even excuse the act which inflicts a wound upon an innocent neutral, to come at an enemy?—Why not suffer the inconveniences arising from the unlawful acts of some of our anomalous citizens, rather than violate all those ancient maxims which were so much revered in former times, and which are the only means of sustaining a good understanding with the world? It remains for that nation to wipe this stain from its splendid achievements, by a proper explanation and renunciation of its measures.

The bill to prevent the abuse of the privileges and immunities enjoyed by Foreign Ministers within the United States, was ordered to be engrossed for a third reading without debate.

December 12.  
The bill to repeal the act for suspending for a limited time the recruiting service was read a third time; and, on motion of Mr. Bradley, the further consideration of the bill was ordered to be postponed to the 1st day of August next.

December 14.  
Mr. Lieb submitted the following motion, for consideration—  
Resolved, That the President of the U. S. be requested to cause to be laid before the Senate a copy of the correspondence between him and the Governor of Pennsylvania in the case of Gideon Olmsted.

The bill to prevent the abuse of the privileges and immunities enjoyed by Foreign Ministers within the U. States was, on motion of Mr. Giles, recommitted to a select committee.

The bill to extend the time for issuing and locating military warrants, was read a third time and passed.

### HOUSE OF REPRESENTATIVES.

Monday, December 11.

A paper was received from the Senate, by Mr. Otis, their Secretary, in the form of a joint resolution approving the conduct of the Executive in relation to the refusal to receive any further communications from Mr. Jackson.

The resolution was read a first and second time, referred to a committee of the whole, and made the order of the day for Thursday next.

Mr. Jackson's "Circular."  
M. Quincy observed that he perceived that in the letter from Mr. Smith to Mr. Pinkney accompanying the message from the President of the U. States of the 29th Nov. 1809, allusion was made to an important paper headed "Circular," which had not been communicated to Congress. He perceived also that by the resolution just received from the Senate a specific declaration was required as to the contents of that very paper. It appeared to him extremely proper that the House should have that paper and its files, and within the reach of its members, before a declaration was made respecting it. Under this impression he offered the following resolution:

Resolved, That the committee of Commerce and Manufactures be instructed to enquire into the expediency of prohibiting by law the importation in foreign ships or vessels of all goods, wares, and merchandise, not of the growth, produce or manufacture of the country to which the ship belongs, excepting in the ships of such countries as by permanent regulations permit our ships and vessels as freely and beneficially as their own, to import into their ports and territories the produce and manufactures of foreign countries.

Resolved, That the committee of Commerce and Manufactures be instructed to enquire into the expediency of laying an additional import duty on distilled spirits imported in foreign ships or vessels from ports or countries in which American vessels are not permitted by permanent regulations to participate in such trade.

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After considerable debate the question was decided by Yeas and Nays, in the affirmative, 69 to 46.

Messrs. Quincy and Dana were appointed a committee to wait on the President with the resolution.

Tuesday, December 12.  
A letter was received from the Sec-

etary of the Treasury, enclosing a statement of the district tonnage of the States.

A report was also received from the Secretary of the Treasury, in obedience to the act for regulating the currency of foreign coins. Several petitions of a private nature were presented and referred.

Wednesday, December 13.

Mr. Quincy from the committee appointed to wait on the President of the U. S. in pursuance of a resolution of the House of Monday last, reported, that he had performed the duty assigned them, and that the President expressed his disposition to comply with the request of the House as practicable.

The "Third Condition."  
Mr. Gold rose for the purpose of moving a resolution to call upon the Executive for information affecting, as conceived, the resolution from the Senate respecting Mr. Jackson. To those principles which she professes so much to admire and support—I mean the rights of neutrals and the freedom of the seas. For notwithstanding the peaceful attitude we have taken, unjust and severe wounds, (though not so frequent, nor yet so vitally fatal in their consequences,) have been inflicted by her on our rights and national honor, under the idea of our attachment to G. Britain, which was supposed to have influenced our measures, and to have counteracted her policy. For one nation to retaliate on another by which it is injured, is certainly justifiable: But what can justify or even excuse the act which inflicts a wound upon an innocent neutral, to come at an enemy?—Why not suffer the inconveniences arising from the unlawful acts of some of our anomalous citizens, rather than violate all those ancient maxims which were so much revered in former times, and which are the only means of sustaining a good understanding with the world? It remains for that nation to wipe this stain from its splendid achievements, by a proper explanation and renunciation of its measures.

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ried by Yeas and Nays, 60 to 34—Majority 4.

Friday, December 15.  
A message from the President of the U. S. covering printed copies of Mr. Jackson's circular and Mr. Canning's despatch—it was read as well as the papers. The letter of Jackson was read from a newspaper printed at Georgetown; the despatch of Mr. Canning was read from a strip of a newspaper supposed to have been cut from a foreign paper. Mr. Quincy moved to have the message and documents just received printed; carried 59 to 40.

Adjourned till Monday.

NEW-YORK, Dec. 13.

By the ship Eliza-Ann, in 35 days from Dublin, the editors of the New-York Gazette have received papers from London to the 4th, and Dublin to the 7th ult. They contain but little news.

The Windsor Cattle Packet from New-York arrived at Falmouth on the 20th of Oct. 20 days from Halifax.

The Duke of Kent Packet sailed from Falmouth for America on the 20th of October.

Private letters, say the London papers, both from Germany and Holland, continue to speak confidently of Bonaparte's being in a state of mental derangement.

A letter from Hamburg, inserted in a London paper of the 30th of October, says, "Bonaparte is, without doubt, out of his mind, and incapable of attending to any sort of public business. A gentleman has arrived here lately from Vienna, who gives us positive information of the fact. We have long suspected something of this kind, but we are now convinced. Bonaparte had been ill when the person to whom we are indebted for this information left the Danube, for some weeks, but not so violently as at present. His madness did not exhibit itself till he had been afflicted with a high fever for some time. We learn that he is about to be conveyed to France."

The Duke of Portland, late first lord of the treasury, died on the 30th of October.

A letter from Dublin of the 6th of Nov. says, "The Packet has brought an account that an order in council is expected to appear immediately in the Gazette, prohibiting the landing of American produce that has been landed or warehoused in any place since they left America, except from British ships or American ships with English licences. This seems intended to drive you to your Embargo, which, from experience, it is expected you cannot maintain."

The Prince of Ponte-Corvo (Bernadotte) arrived at Augsburg Oct. 7, with a suite of ten carriages!

The London papers mention the death of the second son of the Tippoo Sultan, whose funeral was of the most pompous description.

The king of England has issued a proclamation, under date of Oct. 13, pardoning all seamen and mariners who have deserted, on surrendering themselves; and another proclamation of the 24th of Oct. offering a pardon to all deserters in the land service, who may surrender themselves.

LONDON, Oct. 24.  
The flotilla at Boulogne and Calais, it is reported, is removing to the Scheldt, for the purpose of assisting in the threatened attack on Walcheren. We incline to doubt the statement, first from an opinion that the Boulogne flotilla is not fit for service, and secondly because none of these craft have been seen on their passage by our cruizers.

October 29.  
Despatches were received this day from Lord Wellington as late as the 10th inst. at which time he was preparing to come home.

The princess Amelia is very ill of a liver complaint.

October 30.  
We learn that Walcheren and Portugal are to be maintained and defended. More troops are ordered to be in readiness for embarkation.

Accounts from Hamburg state, that a battle has been fought between the Russian and Turkish armies, each 30,000 strong. The Turks were victorious.

The ministerial arrangement is not yet completed.

October 31.  
The duke of Portland died yesterday afternoon, aged 72, shortly after the operation of the stone was performed.

ed. His eldest son, the marquis of Titchfield succeeds him, as duke of Portland.

It is said orders have been sent for lord Wellington's return, and it is hoped he will take the office for foreign affairs.

Letters from Paris of the 27th mention that Bonaparte returned there the preceding day.

We have now but little doubt of a peace between Austria and France. The conditions of the treaty are yet unknown; they are studiously concealed.

DUBLIN, November 6.  
The Danish privateers are called in, in consequence of the remonstrances of the Russian minister.

The terms of the treaty are said to be favorable to Austria. Francis remains emperor and the Hungarians would not withdraw their allegiance from him. Bonaparte has not made such a peace as he wanted, and is determined, if possible, to keep the terms secret.

PARIS, Oct. 19.  
We are assured that the port of Antwerp, by immense labor, is to be enlarged so as to contain a numerous fleet of vessels of war. It is said that the fortifications of Ostend are also to be enlarged. Slikens will also be put in a state of defence, and the fine sluices which are in the vicinity of this village will be sheltered by a coup-de-main.

FRANKFORT, Oct. 21.  
It is said that an army of 100,000 men will remain in Austria until the conclusion of a general peace; and that a corps of reserve will remain cantoned in our neighbourhood.

AUGSBURG, Oct. 20.  
We learn that the emperor did not arrive at Munich this morning. The Italian troops have advanced from Trente to Botzen, of which they have taken possession. The Tyrolese cannot maintain themselves against the general attack with which they are threatened. The Bavarian troops are expected in a few days at Inspruck.

The troops of Wirtemberg have left the environs of Vienna on their return home.

The French have already evacuated Moravia, which was immediately reoccupied by the Austrians whom the people received with acclamations.

WARSAW, Oct. 16.

The anniversary of the battle of Jena was celebrated here with great pomp on the 14th. The whole city was illuminated.

CHARLES-TOWN, Dec. 22.

John Tyler is re-elected governor of Virginia.

In the house of Delegates of Virginia, on the 6th inst. leave was given to bring in a bill to suppress duelling; and Messrs. Noland, Parker, Buckner, Daniel, Stith, Rutherford and Prunty, appointed to prepare and bring in the same.

From the Baltimore Whig.

COL. BURR!! Many circumstances have come to my knowledge, sufficient to induce the belief of this dangerous and unfortunate man being in the United States, near Philadelphia.

It is thought that he means to throw himself on the mercy of a generous people and a mild government; both of which he sought to involve in destruction.

In the event of finding the government inflexible, he thinks he can escape thro' the "meshes of the law," by the advice and assistance of a Marshall—corps of lawyers, &c. Certain it is, he has feed a lawyer of eminence in Philadelphia.

Burr is preparing a work for the press, which is to contain facts and animadversions relating to General Wilkinson.

These things are said and promised; I am curious to see the performance. Do not, Mr. Printer, treat this communication as fabulous. You know not as much as one behind the scenes.

ARIEL.

We are told, that the collector at New-Orleans, (one Brown) has gone off, with about ninety thousand dollars of the public money.—Brown, though appointed to office by Mr. Jefferson, is a most violent federalist.

Balt. Whig.

A diffiller in Copenhagen has lately published an account stating, that having several times diffilled brandy or gin from wheat steeped in salt water, he constantly obtained nearly 2-3rths more than from an equal quantity of wheat not so steeped.

### Look here! DISSOLUTION OF PARTNER- SHIP.

THE partnership of Bell and Fry was dissolved on the 12th inst. by mutual consent. All those indebted to the firm of Bell and Fry, the late firm of Bell and Cherry, or to Benjamin Bell, on bond, note, or open account, are requested to make immediate payment, as no farther indulgence can or will be given by B. Bell. As it is his intention to leave the place early in the spring, it is hoped this notice will be particularly attended to. He has some valuable houses and lots in the town of Smithfield, which he will sell low for cash, or trade of almost any kind.

BEN. BELL.

Smithfield, Dec. 19, 1809.  
N. B. The business will be carried on as usual by Daniel Fry and Abraham Bell, who has on hand a very extensive assortment of seasonable goods, which they are determined to sell on accommodating terms for cash or such produce as will answer the market.

FRY & BELL.

### Caution.

WHEREAS my wife Fanny being not willing to dwell with me, without any just cause or provocation; I am therefore under the necessity of cautioning all persons from crediting her on my account, as I am determined to pay no debts of her contracting from this date. All persons are further cautioned against harbouring or employing her on any occasion, as I shall deal with them as the law directs.

JAMES T. POLLOCK.

Jefferson county, Dec. 12, 1809.

### Negroes to be hired.

Will be hired, on Monday the first day of January next, at Lectown, 20 or 30 Negroes, consisting of men, women, boys and girls.

MAT. WHITING.

December 22, 1809.

### Notice.

THE court of Jefferson county having authorized the subscriber to settle the estate of her late husband, Jehu Lashels, deceased, all persons indebted to the said estate are requested to make immediate payment; and those having claims are desired to exhibit them properly authenticated.

ESTHER LASHELS.

December 22, 1809.

### Stray Cows.

STRAYED from the subscribers in October last, two Cows—one black, with a white face—the other red, except some white on one of her hind legs, middle size, about six years old, and both forward with calf. Whoever will give information so that they can be recovered, shall receive FOUR DOLLARS reward, or Two DOLLARS for either.

FRANCIS TILLET,

JOHN YOUNG.

Charlestown, Dec. 21, 1809.

### To be Hired,

AT Lectown, on Friday the 29th inst. (wanting twenty and thirty NEGROES, consisting of men, women, boys and girls. Bond and approved security will be required. All persons indebted to me for the hire of Negroes, or otherwise, are requested to make payment, as those for whom I have been acting, cannot wait longer.

R. BAYLOR.

December 15, 1809.

N. B. I shall offer for sale on said day, one or two negro men, and a small boy.

R. B.

### A Lad,

Between 12 and 13 years of age, with a tolerable education, would be taken as an apprentice to the Printing business, at this office.

Dec. 22, 1809.

JUST PUBLISHED,

And to be had at this Office,

A POLITICAL WORK, ENTITLED

THE WHOLE TRUTH.

PRICE 25 CENTS.

(Continued from the 1st page.)  
so as to bind the government, it necessarily follows, that the only credentials yet presented by you being the same with those presented by him, give you no authority to bind it, and that the exhibition of a "full power" for that purpose, such as you doubtless are furnished with, is become an indispensable preliminary to further negotiation; or, to speak more strictly, was required in the first instance by the view of the matter now disclosed by you. Negotiation without this preliminary would not only be a departure from the principle of equality which is the essential basis of it, but would moreover be a disregard of the precautions and of the self-respect enjoined on the attention of the U. States by the circumstances which have hitherto taken place.

I need scarcely add, that in the full power alluded to, as a preliminary to negotiation, is not intended to be included either the whole extent or any part of your instructions for the exercise of it. These of course, as you have justly remarked, remain subject to your own discretion.

I abstain, sir, from making any particular animadversions on several irrelevant and improper allusions in your letter, not at all comporting with the professed disposition to adjust in an amicable manner the differences unhappily subsisting between the two countries. But it would be improper to conclude the few observations to which I purposely limit myself, without adverting to your repetition of a language implying a knowledge on the part of this government that the instructions of your predecessor did not authorize the arrangement formed by him. After the explicit and peremptory avowal that this government had no such knowledge, and that with such a knowledge no such arrangement would have entered into, the view which you have again presented of the subject makes it my duty to apprise you, that such insinuations are inadmissible in the intercourse of a foreign minister with a government that understands what it owes to itself.

I have the honor to be, &c.  
(Signed) R. SMITH.  
The hon. F. J. Jackson, &c. &c.

MR. JACKSON TO MR. SMITH.  
Washington, 4th Nov. 1809.

SIR, When I forwarded to my court your letter of the 19th ultimo, and the answer which I returned to it, I imagined, and I may add, I hoped, that the retrospective correspondence, into which you thought it necessary to enter with me had been closed. You will, no doubt, recollect, with what reluctance I acquiesced in your intimation on this head; not, as I believe has been seen, from any difficulty in maintaining the justice of the cause which is entrusted to me, but because I was and still am of opinion, that this sort of correspondence is not calculated to remove differences and soothe irritations of the most unfortunate tendency. As, however, I had no choice but to renounce, for the present, the hope of effectuating this desirable object, or to pursue it in the manner prescribed in your letter of the 9th ultimo, so I am now unwillingly compelled to enter upon the consideration of another letter from you under date of the 11th instant, which but too strongly confirms the opinion I before entertained.

Since, sir, it has been judged expedient to confine to a written form this important and interesting discussion; since that mode has been declared by you to be indispensable, I will first appeal to the written communications which have passed between us; and I do this with the greater satisfaction, because I consider it to be the chief cause of the present remarkable state of things, that in speaking of engagements contracted or supposed to have been contracted between the two countries, understandings or implied engagements have been allowed to take place of written compacts, and have been considered, in some instances, as having the same validity.—It is furthermore necessary to place in the most unequivocal light a topic which I observe to be constantly and prominently re-iterated in your letters, notwithstanding the repeated, but as it should seem, fruitless endeavors used in mine, to clear it from the slightest shadow of obscurity.

You say that it is understood that "his Britannic Majesty perseveres in requiring as indispensable conditions" on the part of the United States, an "entire relinquishment of the right to trade with the enemies colonies, and also a permission to the British navy

to aid in executing a law of Congress." This same statement is contained in your letter of the 9th inst. and represented as the substance of what had fallen from me, in our previous conferences. In my answer to that letter, I took the liberty of shewing that such a supposition was erroneous, and I have looked in vain to my letter of the 23d, to find in it any suggestion of a similar tenor. I believe, therefore, that by reference to my two letters, you will find, that the statement now again brought forward is contained in neither of them, that it made no part of my previous conversations with you, and that I have in no way given room to suppose, that I ever made any such statement at all.

That before the orders in council can be revoked, their object must be obtained in some other way, is unquestionably true; but you may be assured, sir, that there is no wish whatever entertained in England, that the British navy should be employed in executing a law of Congress.—If the proposal that was made upon that subject, and made, as you now know, because it was believed to be acceptable here, had been adopted, and had become a matter of compact between the two countries, and thereby a part, not of the law of Congress, but of the public law binding upon both parties, and which both would have had an interest in seeing duly executed; in that case the agency of the British navy would not have had the invidious aspect, which is now attempted to be given to it.—At present there is no engagement between the two countries, no laws of Congress which bear a reference to any such engagement, and consequently it cannot be wished to take any share whatever in the execution of those laws.

In regard to the colonial trade I need only observe, that all or nearly all the enemies colonies are blockaded by British squadrons, it cannot therefore be so much an object of solicitude, as you imagine, to obtain the relinquishment of the trade of any country to those colonies. On the contrary you will find it stated in my letter of the 11th ult. to be a matter of indifference "once whether the order in council" (on this subject) "be continued, or an arrangement by mutual consent substituted in its room."

When I informed you that the agreement concluded here in April last, had been framed in deviation from the instructions given for the occasion, my explanation was intended to apply to both parts of that agreement.—That nothing, required by the most scrupulous accuracy, may be wanting, I now add, that the deviation consisted in not recording in the official document signed here, the abrogation of the President's Proclamation of the 2d July, 1807, as well as the two reserves specified in the paper of Memoranda enclosed in my official letter to you of the 27th ultimo.

There is another motive for the disavowal of this part of the arrangement, considered to be so strong and so self-evident upon the very face of the transaction, that I am not commanded to do more than indicate it in the manner I have already done.—By this forbearance his Majesty conceives that he is giving an additional pledge of his sincere disposition to maintain a good understanding with the U. States.

I am somewhat at a loss to give a distinct reply to that part of your letter which relates to Mr. Erskine's authority to conclude with you in virtue of his general letter of credence, because I do not very distinctly understand the tendency of it. I never before heard it doubted that a full power was requisite to enable a minister to conclude a treaty, or that a mere general letter of credence was insufficient for that purpose.

If it were otherwise, and a government were in all cases to be bound by the act, however unauthorized, of an accredited Minister, there would be no safety in the appointment of such a Minister, and ratifications would be useless.—No full power was given in the present case, because it was not a treaty, but the materials for forming a treaty, that was in contemplation.

In his dispatch of the 23d of January, Mr. Secretary Canning distinctly says to Mr. Erskine—"Upon receiving through you on the part of the American government a distinct and official recognition of the three aforementioned conditions, his Majesty will lose no time in sending to America a minister fully empowered to consign them to a formal and regular treaty."

(Concluded on the 2d page.)

## Negroes and Pork!

THE subscriber would hire, for the ensuing year,  
**20 able Negro Men,**  
to cut wood, raise ore, &c. and wishes to purchase ten thousand weight of good corn fed pork, deliverable at this place, the first week in January, for which call will be paid at the current price.  
F. FAIRFAX.  
Shannon Hill, December 11, 1809.

## NOTICE.

THE Court of this county have, at their last sessions, (agreeably to the laws of this commonwealth) ordered me to take possession of, and administer the estate of Mary Ridgway, deceased, late of this county. All persons having just claims against the said estate, are requested to exhibit them to me duly authenticated—and all such as are indebted to the same are also requested to make prompt payment, as no indulgence can or will be given.  
GEO. NORTH, Sheriff.  
Jefferson county, Virginia,  
December 14, 1809.

## Negroes for hire.

I wish to hire out to the highest bidder, on Christmas day, two Negro women, and a negro girl about 15 years of age. They may be seen at Anderson's tavern, on that day.  
J. SAUNDERS, Agent  
for M. D. Saunders.  
Charlestown, Dec. 15, 1809.

## Deed of Trust.

IN pursuance of a deed of trust executed to the subscriber by Griffin Smith, and Mary his wife, to secure the payment of a certain sum of money due from said Smith to Messrs. Hollway and Hanserd, merchants of the town of Petersburg, will be sold to the highest bidder, on the 30th day of December instant, at the plantation of the late Gerard Alexander, dec'd, in the county of Jefferson, a certain tract or parcel of land, containing 135 acres, seventy acres of which are cleared, and the balance well clothed with fine timber; being a part of the land of said Gerard Alexander, dec'd, and lies adjoining the lands of John M'Pherson, Bataille Muse and others.  
SAM. WASHINGTON, Trustee.  
December 8, 1809.

## Deed of Trust.

BY virtue of a deed of trust executed to me by Edward Gantt, for the benefit of Elijah Chamberlin, I will offer for sale, on Saturday the 6th of January next, before the door of John Anderson's tavern, a valuable Negro man.

JOSEPH FARR, Trustee.  
December 8, 1809.

## Five Dollars Reward.

STRAYED from the subscriber, living at Harper's Ferry, about the first of last June, a small black milch COW, about seven years old, midding small crooked horns, no ear mark recollected. The above reward will be given for the above stray, with all reasonable expenses if brought home.  
Wm. STEPHENSON.  
November 17, 1809.

## NOTICE.

FOR the convenience of those persons who were purchasers at the sale of my father's estate, I have deposited their obligations with Mr. Daugherty. As the estate is indebted, promptness of payment is expected.—Those obligations were due the 25th ult.

Wm. TATE.  
December 1, 1809.

## Forty Dollars Reward.

RAN AWAY from the Flowing Spring Farm, about a year ago, a Negro Man named WILL, about 23 years of age, light complexion, and nearly six feet high. He is supposed to be lurking in the neighborhood of Charlestown, as he was seen a few days since, at Thornton Washington's quarter, where he has a wife. The above reward will be paid for securing said negro in jail, or delivering him to John Briscoe, esq. near Charlestown.

SAMUEL BRISCOE.  
November 24, 1809.

## RAGS.

The highest price given for clean lines and cotton rags at this Office.

## Negroes for Sale.

THE subscriber will offer at public sale, to the highest bidder, for ready money, at this place, on the first day of January next, a number of very likely negroes, Men, Women, Boys, and Girls, including several Tradesmen, a good Cook, &c.

F. FAIRFAX.  
Shannon Hill, near Charlestown,  
Jefferson County, Va. Nov. 10.

OFFICE OF THE SUPERIOR COURT,  
Held for Jefferson County,  
I HAVE removed the office of the Superior Court, held for Jefferson County, to the house occupied by Mr. John Haynie.

ROBERT C. LEE.  
Charlestown, Nov. 24, 1809.

## To Rent.

THE subscriber will rent the house which Mr. John Haynie occupies in the back street, (except one small room, which he will occupy as an office.) The lot with all other buildings thereon, will also be rented. Possession will be given on the first of January next.

ROBERT C. LEE.  
Charlestown, Dec. 1, 1809.

## Take Notice.

I AM going to move from this place to Battletown, in about ten days from this. All persons indebted to me are requested to call and discharge their respective balances before the ninth instant. If money is not convenient, I will receive merchantable wheat at six shillings and six pence per bushel, delivered at Mr. John Downey's or Mr. Samuel M'Pherson's mill. Those persons failing to comply with the above request, may rely on their accounts being put into the hands of proper officers for collection, without discrimination.

JOHN HAYNIE.  
Charlestown, Dec. 1, 1809.

## Tailoring Business.

THE subscriber informs the public that he still continues to carry on the above business in Charlestown.—He returns his sincere thanks to his friends and the public in general for their past support, and hopes by his duty and attention to merit a continuance of their patronage. He has received the latest fashions, which will enable him to serve ladies and gentlemen in the first style. Those who please to favor him with their custom may rely on having their work executed with punctuality and neatness.

HENRY SKAGGS.  
October 26, 1809.

## Stevenson & Griffith,

TAILORS,  
RESPECTFULLY inform the inhabitants of Charlestown and its neighborhood, that they have lately commenced the TAILORING BUSINESS in Mrs. Frame's house near Mr. Haines' tavern, where they are ready to receive work. They will be always careful to execute their work in the most serviceable and fashionable manner. They are acquainted with the newest fashions, and have no doubt but they shall be able to give full satisfaction to those who will please to favor them with their custom.

CHARLETTOWN, NOV. 17, 1809.

## Fulling and Dying.

THE subscriber respectfully informs his friends and the public, that he has taken that new and elegant Fulling Mill, the property of Mr. Benjamin Beeler, three miles from Charlestown, where he intends to carry on the Fulling Business in all its various branches. The mill being erected on a new plan, and water always sufficient, he hopes to give full satisfaction to all those who will favor him with their custom.

SILAS GLASCOCK.  
September 22, 1809.

## House and Lot for Sale.

THE subscriber offers for sale his House and Lot, in Charlestown, on the main street leading to Alexandria. The dwelling house is two stories high, with a good cellar, kitchen, smother, and stable. Back land will be taken in part payment for this property, or will be sold very low for cash. An indisputable title will be given to the purchaser.

JOHN WARE.  
July 21, 1809.

## Best Writing Paper

For sale at this Office.

## Look here!

### DISSOLUTION OF PARTNERSHIP.

THE partnership of Bell and Fry was dissolved on the 12th inst. by mutual consent. All those indebted to the firm of Bell and Fry, the late firm of Bell and Cherry, or to Benjamin Bell, on bond, note, or open account, are requested to make immediate payment, as no farther indulgence can or will be given by B. Bell. As it is his intention to leave the place early in the month of January, it is hoped this notice will be particularly attended to. He has several valuable houses and lots in the town of Smithfield, which he will sell for cash, or trade of almost any kind.

BEN. BELL.  
Smithfield, Dec. 19, 1809.

N. B. The business will be carried on as usual by Daniel Fry and Abraham Bell, who has on hand a very extensive assortment of seasonable goods, which are determined to sell on accommodating terms for cash or such produce as will answer the market.

FRY & BELL.

## Negroes to be hired.

Will be hired, on Monday the first day of January next, at Leetown,  
**20 or 30 Negroes,**  
consisting of men, women, boys and girls.  
MAT. WHITING.  
December 22, 1809.

## Caution.

WHEREAS my wife Fanny being not willing to dwell with me, without any just cause or provocation; I am therefore under the necessity of cautioning all persons from crediting her on my account, as I am determined to pay no debts of her contracting from this date. All persons are further cautioned against harbouring or employing her on any occasion, as I shall deal with her as the law directs.

JAMES T. POLLOCK.  
Jefferson county, Dec. 12, 1809.

## Notice.

THE Court of Jefferson county having authorized the subscriber to settle the estate of her late husband, Jchu Lashels, deceased, all persons indebted to the said estate are requested to make immediate payment; and those having claims are desired to exhibit them properly authenticated.

ESHER LASHELS.  
December 22, 1809.

## Stray Cows.

STRAYED from the subscribers in October last, two Cows—one black, with a white face—the other red, except some white on one of her hind legs, middle size, about six years old, and both forward with calf. Whoever will give information so that they can be recovered, shall receive FOUR DOLLARS reward, or Two Dollars for either.

FRANCIS TILLET, JOHN YOUNG.  
Charlestown, Dec. 21, 1809.

## Negroes for Sale.

THE subscriber will offer at public sale, to the highest bidder, for ready money, at this place, on the first day of January next, a number of very likely negroes, Men, Women, Boys, and Girls, including several Tradesmen, a good Cook, &c.

F. FAIRFAX.  
Shannon Hill, near Charlestown,

## Forty Dollars Reward.

RAN AWAY from the Flowing Spring Farm, about a year ago, a Negro Man named WILL, about 23 years of age, light complexion, and nearly six feet high.—He is supposed to be lurking in the neighborhood of Charlestown, as he was seen a few days since, at Thornton Washington's quarter, where he has a wife. The above reward will be paid for securing said negro in jail, or delivering him to John Briscoe, esq. near Charlestown.

SAMUEL BRISCOE.  
November 24, 1809.

## Negroes and Pork!

THE subscriber would hire, for the ensuing year,  
**20 able Negro Men,**  
to cut wood, raise ore, &c. and wishes to purchase ten thousand weight of good corn fed pork, deliverable at this place, the first week in January, for which call will be paid at the current price.

F. FAIRFAX.  
Shannon Hill, December 11, 1809.

## Stevenson & Griffith,

TAILORS,  
RESPECTFULLY inform the inhabitants of Charlestown and its neighborhood, that they have lately commenced the TAILORING BUSINESS in Mrs. Frame's house near Mr. Haines' tavern, where they are ready to receive work. They will be always careful to execute their work in the most serviceable and fashionable manner. They are acquainted with the newest fashions, and have no doubt but they shall be able to give full satisfaction to those who will please to favor them with their custom.

SAM. WASHINGTON, Trustee.  
December 8, 1809.

## Deed of Trust.

IN pursuance of a deed of trust executed to the subscriber by Griffin Smith, and Mary his wife, to secure the payment of a certain sum of money due from said Smith to Messrs. Holloway and Hanserd, merchants of the town of Petersburg, will be sold to the highest bidder, on the 30th day of December instant, at the plantation of the late Gerard Alexander, dec'd, in the county of Jefferson, a certain tract or parcel of land, containing 135 acres, seventy acres of which are cleared, and the balance well clothed with fine timber; being a part of the land of said Gerard Alexander, dec'd, and lies adjoining the lands of John M'Pherson, Bataille Muse and others.  
SAM. WASHINGTON, Trustee.  
December 8, 1809.

## NOTICE.

FOR the convenience of those persons who were purchasers at the sale of my father's estate, I have deposited their obligations with Mr. Daugherty. As the estate is indebted, promptness of payment is expected.—Those obligations were due the 25th ult.

Wm. TATE.  
December 1, 1809.

## To be Hired,

AT Leetown, on Friday the 29th instant, between twenty and thirty NEGROES, consisting of men, women, boys and girls. Bond and approved security will be required. All persons indebted to me for the hire of Negroes, or otherwise, are requested to make payment, as those for whom I have been acting, cannot wait longer.  
R. BAYLOR.  
December 15, 1809.  
N. B. I shall offer for sale on said day, one or two negro men, and a small boy.  
R. B.

From *Rel's Philadelphia Gazette*, a Federal print.

TO FRANCIS JAMES JACKSON, ESQ. Ex-Ambassador, from his Britannic Majesty to the U. S. of America.

Sir,—In the first moments of that perturbation, from which the most accomplished diplomatist cannot at all times be exempt, and into which even a person of your experience may be excused for falling, on the sudden occurrence of a crisis so unexpected and embarrassing, as your late discomfiture, you were indiscreet enough to allege the constitutional liberty of the press in this country, as a charge against the executive government, which your complaint implies that department might correct. You should have recollected that when an ambassador is most disturbed; that by the law of the land the Executive cannot interfere with the press, and that when the First Consul of France, with whose annals you have such especial reason for being familiar, laid a similar grievance before the British ministry, he was told that the courts of justice were the only means known to the law for punishing such offences; that Pelier was convicted by a jury, and sentenced by my lord Ellenborough, not by Mr. Adington or the king. These things you should have known; for they would have saved you the mortification, which every man, particularly the envoy extraordinary and plenipotentiary from a mighty kingdom, ought to feel, when he so far forgets himself and his station, as to be betrayed into undignified and unavailing querulousness.

It is too true that the press in this country is deplorably licentious; and though you were egregiously incorrect when you made this circumstance a ground of official complaint to the Executive, yet all temperate Americans must deprecate the scandalous calumnies that are daily poured forth upon your nation, mission and person. But it is not the freedoms the press has taken with your name, that have made it odious in America. That you may not return impressed with a belief, in which it is to be lamented you came among us, that party is the only index

to opinion in the United States, or that certain violent newspapers are the organs of the sentiments of the great body of sober and reflecting people, I take the liberty of addressing you in the language that is almost universally held, relative to this controversy, by those native and genuine Americans, who with a natural and decided preference for the English nation, are at the same time alive to the rights of their own; and always are alike indignant at all foreign aggressions whatsoever. It may, perhaps, notwithstanding your patriotic zeal, somewhat assuage your disappointment, to know that by this respectable class your instructions are more blamed than your conduct; and it is highly proper that you should be apprized of the independent and honorable motives which govern them in this juncture.

Your nomination created some suspicion and much clamour. Peremptory refusing to ratify the terms proposed by one minister, after they had been accepted and effectuated on our part, recalling and disgracing that minister, and appointing another who had been used to treat with fleets at his heels, were not indications of a very friendly disposition on the part of England. Notwithstanding these omens, the mass of the American nation prepared to accredit you as one of the most distinguished members of that corps, which, in the states of Europe, is as regularly trained, formed and distributed as armies and navies—aware that you were yet reeking from the discharge of a most detestable duty at Copenhagen, but hoping that your employment on several such exigencies was rather in the course of your vocation than optional, and that the fame of such achievements preceding you here, would have the effect rather to soften than aggravate your tone—and with an honest confidence trusting that you were selected for your superior talents and veteran skill, and coming to negotiate, if not to conclude, an accommodation. The Americans are a simple, peace-loving people, little versed in diplomatic sophistry. Peace and plain dealing are emphatically their policy, inasmuch as one is the source, the other the only safeguard of their prosperity. Whatever therefore was declared by a few unimportant individuals of the insolence and bad faith upon which your embassy was grounded, the government, with a large majority of the country, were disposed to receive you with hospitality, and anxiously desirous that your terms might be tolerably amicable, and your tone tolerably decent. With such terms and such a tone there was a temper to be satisfied; and it is notorious that the belief was very general of your having entered upon discussions, which promised an arrangement. After indulging a few weeks in these flattering expectations, it was understood with amazement and regret and indignation, that you came three thousand miles, with a magnificent appointment, without authority to adjust any one point in dispute, and with orders to couch your communications in the most imperious and offensive style of the new phraseology of diplomatic correspondence. You came, as you have yourself declared to our government, expressly to do nothing; and in doing that nothing you assumed a tone of contempt and defiance. Under such circumstances you should not be surprised that it is the sense of nine-tenths of the American people, that as your mission was meant to be futile and your language unbecoming, the government consulted their dignity, and the dignity of a nation, too long patient of outrage, when it deranged you from your functions, and discarded you its presence.

But while such is the sense, and the decided and enthusiastic sense of nearly all the people of this country, it is matter of the most painful regret with many of them, that the representative of a great and glorious empire, himself a man of talents and a fine gentleman, should have been obliged to incur the predicament, into which you have rather marched, than fallen, which, notwithstanding the challenge of your letters, and the fair warning you received of its imminence, seems to have been as unexpected by you, as it certainly