

To the Editor of the N. Y. Columbian.

The arrival of a minister in this country from the Spanish Junta has raised a question, whether he ought not to be received and recognized by our government.

The perusal of a narrative of Sir John Moore's campaign in Spain, has convinced me, beyond doubt, that the Spaniards have neither the disposition nor the power to establish the government of the Junta; that they must yield to the power whom Bonaparte has set over them; and that the diversion in Austria, and the assistance of Great Britain, will only suspend, but cannot avert their complete subjugation.

It appears from this work, that there is neither wisdom, honesty nor vigor in the government; neither discipline, numbers, nor courage in the armies; neither patriotism, enthusiasm, nor that all-commanding love of liberty in the people.

The Central Junta "consisted (I give the words of the narrative) of 34 persons, with equal power. So numerous an executive body was ill calculated for prompt decisions. Self-interest, mutual jealousy and discord distracted their councils. There was no predominant leader to give uniformity to their acts, no animating passions to elevate their minds. By cold languor and foggy dullness, they chilled and damped the spirits of the nation.

"The Spanish Junta exerted all their finesse to deceive, not their enemy, but their ally, and succeeded so perfectly as to lead them to execute a plan adapted to a state of circumstances the reverse of their real condition. Their high sounding proclamations, exaggerated numbers, invented victories and vaunted enthusiasm, could not deceive him, whom it was useful to deceive. Bonaparte possessed ample means of obtaining exact information. There were traitors even among the loudest seeming patriots, who enabled him to calculate with perfect accuracy the precise portion of patriotism scattered through Spain."

"The imbecility (says sir John Moore, in a letter to Mr. Frere, the British minister in Spain, and to his family) exceeds belief." "The Junta, jealous of their generals, gave them no power; but kept them at the head of separate armies, each independent of the other. Thus they have prevented any union of action. They took no pains to recruit the armies, or to furnish them with arms and clothing. In short, during the interval that the French were weak, they did nothing to overpower them before their reinforcements arrived, or to meet them with superior numbers when reinforced."

"The army of Gen. Castanos is thus described—"The army of Castile was drawn up to receive the general. Its strength was about 11,000 men. But to form any idea of its composition, it is absolutely necessary to have seen it. It is a complete mass of miserable peasantry without clothing, without organization, and with few officers that deserve the name. The general and principal officers have not the least confidence in their troops; and what is yet worse, the men have no confidence in themselves."

General Blake's army is stated to have been "in no condition to contend with regular troops." "Their condition was so wretched; that it is not to be wondered at that they were easily dispersed, and had no inclination to rally." "It is impossible that the Spanish armies can stand before a line of French infantry. A portion of at least one third of the Spanish muskets will not explode; and a French soldier will load and fire his piece with precision three times before a Spaniard can fire his twice. Men, however brave, can-

not stand against such odds. As to charging with bayonet, if their arms were fit for the purpose, the men, tho' individually as gallant as possible, have no collective confidence to carry them on, nor officers to head them; they will, therefore, disperse, probably on the first fire, and can never be rallied, until they voluntarily return to their general's standard, as in the case of the marquis de la Romana's present army, almost wholly composed of fugitives from the battles of the North."

"But really," (says sir John Moore) "so little alacrity has been displayed by the government, or by those employed to direct their armies, there appears so much apathy in the people, and so little means prepared for resistance, that I do not see how they can stand against the enemy. The French will have troublesome subjects; but in the first instance they will have little more than to march to subdue the country."

You "can hardly credit the sluggish indifference that pervaded the Spanish nation when menaced by Bonaparte."

"It appeared very singular that the advance of the French so far into the country had produced no sensation among the people. They were all tranquil and employed in their ordinary occupations and amusements, and seemed to know or care very little about public matters. Indeed, the passive disposition of the Spaniards was most remarkable; for they heard of the generous dispositions of the British, and of the destructive ravages of the French, with almost equal indifference."

"The inhabitants of Spain gave little aid to their persevering allies, who were encountering every evil for them, and made no attempt to annoy or to retard the enemy. Had the armed Spaniards harassed the flanks and rear of the French army, they might with little danger to themselves, have retarded their advance, and diminished their numbers; instead of which they never fired a musket at a Frenchman, and often fled from their houses at the approach of the English—barring their doors, and carrying off mules, carts, oxen, forage and provisions; in short, whatever could lessen the diseases or contribute to the comfort of their friends."

"To crown the whole, sir John Moore in an official letter to the British secretary of war, explicitly declares—"I have seen no ability with the Spanish government, but much the reverse; none has been displayed by their officers in the command of the armies; no one officer has yet a chief direction of the military branch. The armies have shown no resolution, the people no enthusiasm nor no daring spirit; and that which has not been shown hitherto, I know not why it should be expected to be displayed hereafter. I feel as if the British was the only efficient force in Spain. Your lordship will consider with what view it was sent; whether in aid of an enthusiastic brave people, capable of fighting their own battles, or to contend alone with France, and retrieve the affairs of a beaten, disorganized nation."

The inference to be drawn from this description is obvious and irresistible. But it may not be amiss to demonstrate the insatiable and extreme imbecility of the British government by mentioning two extraordinary facts.

I. Previous to sending out sir John Moore and his army, not trusting to the proclamations of the Spanish Juntas, the British military sent officers and agents into various parts of Spain, who rivalled each other in reporting the ability and universal ardour of that country, and thus suffered themselves to be duped and deceived.

II. After the discomfiture and retreat of sir John Moore's army, in the face of all these impressive facts, and in defiance of all experience, they sent out another army, under sir Arthur Wellesley, which, as might be expected, has fled vanquished before the victorious armies of France.

SIDNEY.  
Men might often enjoy greater freedom were it not their own fault; but they fetter themselves, and fill boastings of their liberty, are truly ridiculous. The constitution of a country or a city may be free, and remain so, and yet the minds of its inhabitants be in chains.—Whoever in a republic acts solely on his own behalf, and speaks his mind freely only where he sees it can in no degree hurt either himself or his family, is very often against his will and his conscience, and contrary to his oath and duty, an abject slave. The patriot inhabitants of a republican city ought therefore not to glory too much in their liberty, when the majority of

them are ready, like so many wild cats, to fly in the face of a stranger, who should venture to affirm in public, that it is possible for a burgo-master's son to err in matters of literature.

(Zimmerman.

When the Khan of Tartary, who has not so much as a house, and who subsists solely on rapine, has finished his repast of mare's milk and horse flesh in his tent, he causes an herald to proclaim, that all kings, princes, and potentates of the earth, now have his permission to go to dinner! (Ch.

Extracted from the Bristol Mirror.

MY STOCKINGS!

AN IMITATION OF IMITATIONS.—A nobler theme let others choose.—Fit subject for my humble muse Are ye, whom, night and day, I use— My Stockings!

Soon as Aurora paints the skies, (Ere from my sluggard couch I rise) For you I raise my earliest cries, My Stockings!

The live-long day around my thigh Ye cling, and seldom turn awry; With me ye trudge through wet & dry, My Stockings!

At eve my daily work I spurn, And to the public house adjourn; Then with what heartfelt joy I turn My Stockings!

At night, one serves to stop a gap I th' wall—I sink in Somnus' lap— And t'other serves me for a cap— My Stockings!

Full oft I find my old friends lag Even in the lending of a rag— What use I then for padding bag? My Stockings!!!

Let none their various deeds decry; For, ever as the week goes by, They're washed; and then—I hang to dry, My Stockings!

Jefferson, oct. October Court, 1809.

George Newkirk, Complainant, against John Maxwell Swann, William Glassell 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 this order be forthwith inserted in the Farmer's Repository, published in Charlottesville, for two months successively, and published at the court house door of Jefferson county.

A copy. Teste, GEO. HITE, CLK.

NOTICE. ALL persons indebted to the estate of Jehu Lalshels, deceased, are requested to make immediate payment to the subscriber; and those having claim against the said estate are desired to exhibit them properly authenticated. JOHN CLARK, Admr. October 6, 1809.

Charles G. Richter, HAIR DRESSER AND PERUKE MAKER.

GRATEFULLY acknowledges the kind encouragement he has received since his settlement in this place, and takes this opportunity of informing the public, that he still continues to attend to his business, at his shop next door to capt. Hite's Hotel.

Having received the newest fashions from Baltimore, &c. and being amply supplied with hair of every colour, he is happy to inform the Ladies, that he has it now fully in his power to furnish them with Wigs and Frizzets of the most elegant kind, and of the most liberal terms.

He also begs leave to make it known for the consolation of all those gentlemen who are becoming bald, and to whom it would be considered superfluous to point out the great advantages both with regard to health, as well as comfort to be derived from wearing a Wig, that he can accommodate them with Wigs of the neatest description, and so exactly similar to the colour of their hair, as to escape the notice of the nice observer. Charlottesville, Sept. 23, 1809.

LAM. A. WASHINGTON. November 3, 1809. 6w.

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

Best Writing Paper For sale at this Office.

John R. Cooke, ATTORNEY AT LAW, TENDERS his professional services to his fellow citizens of Jefferson County. He will attend both the inferior and superior Courts. Martinsburg, Oct. 20, 1809.

Valuable property for sale.

ON the first day of December next will be exposed to public sale, to the highest bidder, on a credit to the end of the next session of the Virginia legislature, agreeably to the provisions of an act passed on the thirty-first day of January last, all the right, title and interest vested in the subscriber by a deed of trust executed by Percival and Fairfax on the first day of December, 1807, and recorded in the county court of Jefferson, to the following property, or so much as may be necessary to raise a sum of money due to John D. Ott on the first day of January last past, and the costs of sale, viz. the tenements at present occupied by Samuel Spruce, (supposed to contain about four hundred acres) part of the Shannandoah tract—also the seats for water works adjacent to the upper end of said tract, upon the margin of the river, Shennandoah, so laid off as to comprehend the said seats and water advantages, and containing by a late survey thereof, about twenty acres and one quarter of an acre. This tenement has a good proportion of rich river bottom, and is heavily timbered, and the mill seats are excelled by very few in the valley, if any. The sale will take place on the premises, and commence at 12 o'clock of the day above mentioned.

Wm. BYRD PAGE, Trustee. August 25, 1809.

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Farmer's Repository.

VOL. II. CHARLES TOWN, (Jefferson County, Virginia,) PRINTED BY RICHARD WILLIAMS. No. 89. TWO DOLLARS PER ANNUM. FRIDAY, DECEMBER 8, 1809. PAYABLE ONE HALF IN ADVANCE.

IMPORTANT LETTER.

of the Minister of Foreign Affairs of France, M. Champagny to Gen. Armstrong, minister of the U. States at Paris: ALLENBURG, Aug. 22.

SIR. His majesty, understanding that you are about to dispatch a ship to the U. States, commands me to make known to you the unalterable principles which have and will regulate his conduct in the great question respecting neutrals.

France admits the principle, that a flag protects the trade. The trading vessel which carries the license of its government, may be considered as a moving colony: to insult such a vessel by search, pursuit, or any act of arbitrary power, is a violation of the fundamental law of civilization, and is an attack upon the government of the sea. The seas belong to every nation, without exception: they are the common property and the domain of all mankind.

Enemy merchant vessels belonging to individuals ought to be respected: individuals who do not fight ought not to be made prisoners of war. In all her conquests, France has considered sacred private property, deposited in the warehouses of the vanquished state, and such have had the complete disposal of matters of trade; and at this moment convoys by land of merchandise, and especially cottons, are passing through the French army and Austria, to proceed to the destination commerce affects.

If France had seized the monopoly of the seas, she would have accumulated in her territory all the products of the earth, and she would have obtained immeasurable wealth. Undoubtedly, if England had the dominion of land, which she has acquired on the ocean, her acquisitions would have been equally enormous. She would as in the times of barbarism, have sold the conquered, and distributed as she slaves throughout her land. The avarice of trade would have absorbed every thing, & the government of an enlightened nation, which has brought the arts of civilization to perfection, would have given the earliest instances of the return of the savage ages.—That government is fully impressed with the injustice of its naval code. But what has that government to do with justice, which only inquires for profit?

When France shall have established her navy power, which, with the extent of her coasts and her population, will be soon accomplished, then will the emperor reduce these principles to practice, and apply his mandate to render it universal. The right, or rather the usurpation of blockading rivers and coasts by proclamation, is palpably contrary to reason and equity. A right cannot possibly spring from the will of an interested party, but must always be founded on the natural relation of things. A place is not properly blockaded unless it is blockaded by land and water. It is blockaded to prevent the introduction of assistance, by which the surrender of the place might be protracted; and then we have only the right to prevent neutral ships from entering the port when the place is thus circumstanced, and the possession of it is matter of doubt between the besiegers and besieged. On this is grounded the right to prevent neutrals from entering the place.

The sovereignty and the independence of the flag are like the sovereignty and independence of the territory, the property of all neutrals. A flag may give itself to another, may change its sovereignty; but the rights of sovereignty are indivisible and unalienable; none can give up any part of them.

England has placed France in a state of blockade. The Emperor by his decree of Berlin, has declared the British Isles in a state of Blockade. The first measure kept neutral vessels at a distance from France, the second has interdicted to them England.

By her Orders in Council of the 11th

November, 1807, England has laid a toll on neutral vessels, and has obliged them to pass through her ports before they should go to the places of their destination. By a decree of the 17th of December, of the same year, the Emperor has declared those vessels, whose flag shall have been violated, degraded, trodden under foot as no longer belonging to their nations, (dina-nationalises.)

To screen itself from the acts of violence, with which this flag of things threatened its commerce, America laid an embargo in her ports; and although France, who had done nothing more than resort to reprisals, saw her interests and the interests of her colonies wounded by this measure, nevertheless the Emperor applauded this generous determination of renouncing all commerce rather than acknowledge the dominion (domination) of the tyrants of the seas. The embargo has been raised, a system of exclusion has been substituted for it. The continental powers leagued against England make a common cause, they aim at the same object, they will reap the same advantages, they ought also to run the same risks. The ports of Holland, of the Elbe, of the Weser, of Italy and of Spain, will not enjoy (jouiront?) any advantage of which those of France may be deprived. They will both (les uns et les autres) be either open or shut at the same time to the commerce of which they may be the object.

Thus, sir, France acknowledges in principle the liberty of the commerce of neutrals and the independence of maritime powers. She has respected them until the moment when the maritime tyranny of England (which respected nothing) and the arbitrary acts of its government have forced her to measures of reprisal, which she has not adopted but with reluctance. Let England revoke her declarations of blockade against France; France will revoke her decree of blockade against England. Let England revoke her Orders in Council of the 11th November, 1807; the decree of Milan will fall of itself. The American commerce will then have regained all its liberty and it will be sure of finding favor and protection in the ports of France. But it is for the U. States by their firmness to bring on these happy results. Can a nation that wishes to remain free and sovereign, even balance between some temporary interests, and the great interests of its independence and the maintenance of its honor, of its sovereignty, and of its dignity.

Please to accept, sir, the assurance of my high consideration. (Signed) CHAMPAGNY.

CONGRESS.

HOUSE OF REPRESENTATIVES. Monday, November 27, 1809.

At twelve o'clock this day the Speaker took the Chair. On calling over the names of the members, it appeared that there were present about ninety-five; which being a quorum, the house proceeded to business.

Dr. Adam Seybert, a Representative from the state of Pennsylvania, vice D. Say, resigned; and Jonathan Jennings, a delegate from the territory of Indiana, vice Mr. Parker, appeared, were qualified and took their seats.

On motion of Mr. Dawson, a message was sent to the Senate to inform that body that this House was formed and ready to proceed to business. On motion of Mr. Dawson, a committee was appointed, to join such committee as should be appointed for the purpose, to wait on the President of the U. S. and inform him that a quorum of the two Houses is formed and ready to receive any communication he may have to make. Messrs. Goodwyn and Root were named a committee on the part of this House.

On motion of Mr. Nelson, the usual rule was adopted respecting furnishing members with newspapers; and also

to the time to which the House should adjourn. And The House adjourned till to-morrow morning eleven o'clock.

Tuesday, November 28.

A message was received from the Senate, by Mr. Otis, their Secretary, informing the House that that body had formed a quorum, and was ready to proceed to business; and also that they had appointed a committee jointly with such committee as should be appointed by the President of the U. States, and inform him that they were ready to receive such communications as he might have to make.

On motion of Mr. Smilie, seconded by Mr. Montgomery, it was resolved, that the several standing committees be now appointed, agreeably to the rules and orders of the House.

A memorial was laid before the House from the Legislative Council and House of Representatives of the Indiana territory, stating that the act of the last session for the division of the territory had operated to prevent the meeting of the Legislature of that territory, by reducing the number of members of the legislature remaining within the territory of Indiana to less than a quorum.—Referred to a select committee with leave to report by bill or otherwise.

Leave of the House was asked and obtained by Mr. Poydras, to lay on the tables of the members certain printed papers in defence of the right of the city of New-Orleans to the *Batture* in the suburb of St. Mary's. Mr. Goodwin, from the committee appointed to wait on the President of the U. S. reported that they had performed the duty assigned to them; and that the President had returned for answer that he would make a communication in writing to-morrow morning at 12 o'clock.

And the House adjourned.

Wednesday, November 29.

The President of the United States this day communicated by Mr. Graham the following MESSAGE: Fellow Citizens of the Senate, and of the House of Representatives, Ar the period of our last meeting, I had the satisfaction of communicating an adjournment with one of the principal belligerent nations, highly important in itself, and still more so, as pressing a more extended accommodation. It is with deep concern, I am now to inform you, that the favorable prospect has been overclouded, by a refusal of the British government to abide by the act of its Minister Plenipotentiary, and by its ensuing policy towards the U. S. as seen through the communications of the minister sent to replace him.

Whatever pleas may be urged for a disavowal of engagements formed by diplomatic functionaries, in cases where by the terms of the engagement, a mutual ratification is reserved; or where, notice at the time may have been given of a departure from instructions; or in extraordinary cases, essentially violating the principles of equity; a disavowal could not have been apprehended in a case, where no such notice or violation existed; where no such ratification was reserved; and more especially, where as is now in proof, an engagement, to be executed without any such ratification, was contemplated by the instructions given, and where it had, with good faith, been carried into immediate execution, on the part of the U. States.

These considerations not having restrained the British government from disavowing the arrangement, by virtue of which its orders in council were to be revoked, and the event authorising the renewal of commercial intercourse having thus not taken place; it necessarily became a question of equal urgency and importance, whether the act prohibiting that intercourse was not to be considered as remaining in legal force. This question being, after due deliberation, determined in the

affirmative, a Proclamation to that effect was issued. It could not but happen, however, that a return to this state of things from that which had followed an execution of the arrangement by the U. S. would involve difficulties. With a view to diminish these as much as possible, the instructions from the Secretary of the Treasury, now laid before you, were transmitted to the Collectors of the several ports. If in permitting British vessels to depart without giving bonds not to proceed to their own ports, it should appear, that the tenor of legal authority has not been strictly pursued, it is to be ascribed to the anxious desire which was felt, that no individuals should be injured by so unfeared an occurrence; and I rely on the regard of Congress for the equitable interests of our own citizens, to adopt whatever further provisions may be found requisite for a general remission of penalties involuntarily incurred.

The recall of the disavowed Minister having been followed by the appointment of a successor, hopes were indulged that the new mission would contribute to alleviate the disappointment which had been produced, and to remove the causes which had so long embarrassed the good understanding of the two nations. It could not be doubted, that it would at least be charged with conciliatory explanations of the step which had been taken, and with proposals to be substituted for the rejected arrangement. Reasonable and universal as this expectation was, it also has not been fulfilled. From the first official disclosures of the new minister, it was found that he had received no authority to enter into explanations relative to either branch of the arrangement disavowed; nor any authority to substitute proposals, as to that branch, which concerned the British Orders in Council: And finally, that his proposals with respect to the other branch, the attack on the frigate *Chesapeake*, were founded on a presumption, repeatedly declared to be inadmissible by the U. States, that the first step towards adjustment was due from them; the proposals at the same time, omitting even a reference to the officer answerable for the murderous aggression, and asserting a claim not less contrary to the British laws, and British practice, than to the principles and obligations of the U. S.

The correspondence between the department of State and this Minister will show, how essentially the features presented in its commencement have been varied in its progress. It will show also, that forgetting the respect due to all governments, he did not refrain from imputations on this, which required that no further communications should be received from him. The necessity of this step will be made known to his Britannic Majesty through the Minister Plenipotentiary of the U. States in London. And it would indicate a want of confidence due to a government which so well understands and exactly what becomes foreign Ministers near it, not to infer that the misconduct of its own Representative will be viewed in the same light, in which it has been regarded here. The British government will learn, at the same time, that a ready attention will be given to communications, through any channel which may be substituted. It will be happy, if the change in this respect should be accompanied by a favorable revision of the unfriendly policy, which has been so long pursued towards the U. S.

With France, the other belligerent, whose trespasses on our commercial rights have long been the object of our just remonstrances, the posture of our relations does not correspond with the measures, taken on the part of the U. States, to effect a favorable change. The result of the several communications made to her government in pursuance of the authorities vested by Congress in the Executive, is contained in the correspondence of our Minister at Paris, now laid before you.

By some of the other belligerents, although professing just and amicable dispositions, injuries materially af-

ing our commerce have not been duly controlled or repressed. In these cases, the interpositions deemed proper on our part have not been omitted. But it well deserves the consideration of the Legislature, how far both the safety and the honor of the American flag may be consulted, by adequate provisions against that collusive prostitution of it, by individuals, unworthy of the American name, which has so much favored the real or pretended suspicions, under which the honest commerce of their fellow citizens has suffered.

In relation to the powers on the coast of Barbary, nothing has occurred which is not of a nature rather to inspire confidence than distrust, as to the continuance of the existing amity. With our Indian neighbors, the just and benevolent system, continued towards them, has also preserved peace, and is more and more advancing habits favorable to their civilization and happiness.

From a statement which will be made by the Secretary of War, it will be seen that the fortifications on our maritime frontier are in many of the ports completed, affording the defence which was contemplated, and that a further time will be required to render complete the works in the harbor of New York, and in some other places. By the enlargement of the works, and the employment of a greater number of hands at the public armories, the supply of small arms, of an improving quality, appears to be annually increasing, at a rate, that with those made on private contract, may be expected to go far towards providing for the public exigency.

The act of Congress providing for the equipment of our vessels of war, having been fully carried into execution, I refer to the statement of the Secretary of the Navy for the information which may be proper on that subject. To that statement is added a view of the transfers of appropriations, authorised by the act of the session preceding the last, and of the grounds on which the transfers were made.

Whatever may be the course of your deliberations on the subject of our military establishments, I should fail in my duty in not recommending to your serious attention, the importance of giving to our Militia, the great bulwark of our security, and resource of our power, an organization the best adapted to eventual situations for which the U. States ought to be prepared.

The sums which had been previously accumulated in the treasury, together with the receipts during the year ending on the 30th September last (and amounting to more than 9 millions of dollars) have enabled us to fulfil all our engagements, and to defray the current expenses of government without recurring to any loan. But the insecurity of our commerce, and the consequent diminution of the public revenue, will probably produce a deficiency in the receipts of the ensuing year, for which and for other details, I refer to the statements which will be transmitted from the Treasury.

In the state which has been presented, of our affairs with the great parties to a disastrous and protracted war, carried on in a mode equally injurious and unjust to the U. States, as a neutral nation, the wisdom of the National Legislature will be again summoned to the important decision of the alternatives before them. That these will be met in a spirit worthy the councils of a nation, conscious both of its recititude and of its rights, and careful as well of its honor, as of its peace, I have an entire confidence. And that the result will be flanked by a unanimity becoming the occasion, and be supported by every portion of our citizens with a patriotism enlightened and invigorated by experience, ought as little to be doubted.

In the midst of the wrongs and vexations experienced from external causes there is much room for congratulation on the prosperity and happiness flowing from our situation at home. The blessing of health has never been more universal. The fruits of the seasons, though in particular articles and districts short of their usual redundancy, are more than sufficient for our wants and our comforts. The face of our country every where presents the evidence of laudible enterprise, of extensive capital, and of durable improvement. In a cultivation of the materials and the extension of useful manufactures, more especially, in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies. Nor

is it unworthy of reflection, that this revolution in our pursuits and habits is in no slight degree a consequence of those impolitic and arbitrary Edicts by which the contending nations, in endeavoring each of them to obstruct our trade with the other, have so far bridged our means of procuring the productions and manufactures, of which our own are now taking place.

Recollecting always, that for every advantage which may contribute to distinguish our lot, from that to which others are doomed by the unhappy spirit of the times, we are indebted to that Divine Providence whose goodness has been so remarkably extended to this rising nation, it becomes us to cherish a devout gratitude, and to implore from the same omnipotent source a blessing on the consultations and measures about to be undertaken for the welfare of our beloved country.

JAMES MADISON.

After the message and accompanying documents were read, on motion of Mr. Newton they were referred to a committee of the whole on the state of the nation, and 5000 copies were ordered to be printed for the use of the members—the House then adjourned.

JACKSON'S CORRESPONDENCE.

The Secretary of State Mr. Jackson, Envoy Extraordinary and minister Plenipotentiary of his Britannic Majesty.

Department of State, Oct. 9, 1809.

SIR—An arrangement, as to the revocation of the British orders in council, as well as to the satisfaction required in the case of the attack on the Chesapeake frigate, has been made in due form by the government of the United States with David Montague Erskine, Esq. an accredited minister Plenipotentiary of his Britannic Majesty. And after it had been faithfully carried into execution on the part of this government, and under circumstances rendering its effects on the relative situation of the United States irrevocable, and, in some respects, irreparable, His Britannic Majesty has thought proper to disavow it, to recall his minister, and to send another to take his place.

In such a state of things, no expectation could be more reasonable, no course of proceeding more obviously prescribed by the ordinary respect due to the disappointed party, than a prompt & explicit explanation, by the new functionary, of the grounds of the refusal on the part of his government to abide by an arrangement so solemnly made,—accompanied by a substitution of other propositions.

Under the influence of this reasonable expectation, the President has learned, with no less surprise than regret, that in your several conferences with me you have stated:

1st. That you have no instructions from your government, which authorise you to make any explanations whatever to this government, as to the reasons, which had induced His Britannic Majesty to disavow the arrangement lately made by your predecessor, and that therefore you could not make any such explanations.

2d. That in the case of the Chesapeake, your instructions only authorise you (without assigning any reason whatever why the reasonable terms of satisfaction tendered and accepted, have not been carried into effect) to communicate to this government a note tendering satisfaction, with an understanding that such note should not be signed and delivered by you, until you should have previously seen and approved the proposed answer of this government, and that the signing and the delivery of your note and of the answer of this government should be simultaneous.

3d. That you have no instructions which authorise you to make to this government any propositions whatever in relation to the revocation of the British Orders in Council; but only to receive such as this government may deem it proper to make to you.

4th. That, at all events, it is not the disposition or the intention of the British government to revoke their Orders in Council, as they respect the United States, but upon a formal stipulation on the part of the United States, to accede to the following terms and conditions, viz.

1st. That the act of Congress, commonly called the non-intercourse law, be continued against France, so long as she shall continue her decrees.

2d. That the navy of Great Britain be authorised to aid in enforcing the provisions of the said act of Congress.

3d. That the United States shall explicitly renounce, during the present war, the right of carrying on any trade whatever, direct or indirect, with any colony of an enemy of Great Britain, from which they were excluded during peace; and that this renunciation shall extend, not only to the trade between the colony and the mother country, but to the trade between the colony and the United States.

If, in the foregoing representation, it should appear, that I have in any instance misapprehended your meaning, it will afford me real pleasure to be enabled to lay before the President a statement, corrected agreeably to any suggestions, with which you may be pleased to favor me.

To avoid the misconceptions incident to oral proceedings, I have the honor to intimate that it is thought expedient, that our further discussions, on the present occasion, be in the written form. And with great sincerity I assure you, that whatever communications you may be pleased thus to make, will be received with an anxious solicitude to find them such as may lead to a speedy removal of every existing obstacle to that mutual and lasting friendship and cordiality between the two nations, which it is obviously the interest of both to foster.

With the highest consideration, &c.  
(Signed) R. SMITH.  
The Hon. F. J. Jackson, &c. &c.

MR. JACKSON TO MR. SMITH.  
Washington, 11th Oct. 1809.

SIR—I have had the honor of receiving your official letter of the 9th inst. towards the close of which you inform me, that it had been thought expedient to put an end to all verbal communications between yourself and me, in discussing the important objects of my mission. Considering that a very few days have elapsed since I gave the president a credential letter from the king my master, and that nothing has been even alleged to have occurred, to deprive me of the credit to which, according to immemorial usage, I am by that letter entitled, I believe there exists in the annals of diplomacy no precedent for such a determination between two ministers, who have met for the avowed purpose of terminating amicably the existing differences between their respective countries: but after mature reflection, I am induced to acquiesce in it by the recollection of the time that must necessarily elapse before I can receive his majesty's commands upon so unexpected an occurrence, and of the detriment that would ensue to the public service if my ministerial functions were, in the interval, to be altogether suspended. I shall therefore content myself with entering my protest against a proceeding which I consider in no other light, than a violation, in my person, of the most essential rights of a public minister when appointed, as in the present case, without any alleged misconduct on his part. As a matter of opinion, I cannot, I own, assent to the preference which you give to written over verbal intercourse for the purpose of mutual explanation and accommodation. I have thought it due to the public character with which I have the honor to be invested, and to the confidence with which his majesty has most graciously been pleased to repose in me, to state to you unreservedly my sentiments on this point. I shall now proceed to the other parts of your letter, and apply to them the best consideration that can arise from a zeal proportioned to the increase of difficulty thus thrown in the way of the restoration of a thorough good understanding between our respective countries.

You state, very truly, that an arrangement had been made between you and Mr. Erskine, and that his majesty had thought proper to disavow that arrangement.

I have, here in the outset, to regret the loss of the advantage of verbal intercourse with you, as I should have availed myself of it to enquire whether by your statement, it were your intention to complain of the disavowal itself, or of a total want of explanation of it, or of the circumstance of that explanation not having been made through me. I observe that in the records of this mission there is no trace of complaint, on the part of the U. States, of his majesty having disavowed the act of his minister. You have not in the conference we have hitherto held, distinctly announced any such complaint, and I have seen, with pleasure, in this forbearance, on your part, an instance of that candor, which I doubt not will prevail in all our communications, in as much as you could not but have thought it unreasonable to complain

of the disavowal of an act, done under such circumstances, as could only lead to the consequences that have actually followed.

It was not known when I left England, whether Mr. Erskine had, according to the liberty allowed him, had been sustained on the occasion by the original instructions. It now appears that he did not. But, in reverting to his official correspondence, and particularly to a dispatch addressed on the 20th of April to His Majesty's Secretary of State for Foreign Affairs, I find that he there states, that he had submitted to your consideration, the three conditions specified in those instructions, as the ground work of an arrangement which according to information received from this country, was thought in England might be made, with a prospect of great mutual advantage. Mr. Erskine then reports upon each of the three conditions, the reasons which induced you to withhold from him the substitution of other proposals. It may have been considered between you that these latter were, in all respects, equivalent to the original conditions, but the very act of substitution evidently shews that those original conditions were, in fact, very explicitly communicated to you, and by you to some laid before the President for his consideration. I need hardly add, that the difference between these conditions and those contained in the arrangement of the 18th and 19th April, is sufficiently obvious to require no elucidation; nor need I draw the conclusion, which I consider as admitted, of all absence of complaint, on the part of the American government, viz. that under such circumstances, His Majesty had an undoubted and incontrovertible right to disavow the act of his Minister. I must here allude to a supposition, which you have more than once mentioned to me, and by which, if it had any the slightest foundation, this right might perhaps have been in some degree affected. You have informed me that you understood that Mr. Erskine had two sets of instructions, by which to regulate his conduct; and that upon one of them, which had not been communicated to either to you or to the public, was to be agreed upon the revocation of the British orders in council. It is my duty, sir, solemnly to declare to you, and through you, to the President, that the dispatch from Mr. Canning to Mr. Erskine, which you have made the basis of an official correspondence with the latter Minister, and which was read by the former to the American Minister in London, is the only dispatch, by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement with this country on the matter to which it relates.

To return to the immediate subject of your letter. If, sir, it be your intention to state, that no explanation whatever has been given to the American government of the reasons which induced His Majesty to disavow the act of my predecessor, I must, in that case, observe, that in the instructions conveying to him His Majesty's mission, those reasons were very fully and forcibly stated; and if he has not transmitted them to you, I can only attribute it to the peculiar delicacy and embarrassment of his situation, for which he probably trusted to the President's goodness to make some allowance; and he might the more reasonably be led to that reliance on it, as a full and ample communication was also made upon the subject by His Majesty's Secretary of State for Foreign Affairs to Mr. Pinkney, to whom the whole of Mr. Erskine's original instructions was read, and who, it was natural to suppose, would convey to your government so much information upon a very momentous occasion, as would relieve Mr. Erskine from the necessity of entering into minute details of the matter, which had occurred. But in all events, no complaint can be substantiated against His Majesty's government on this score, seeing that they not only instructed the Minister who had made the disavowal arrangements as to the motives which occasioned the disavowal, but also with frankness, promptitude and a most scrupulous regard to national honor, gave notice to the American Minister in London of the disavowal, of the motives of it, and of the precautions preventively taken by His Majesty to prevent any loss or injury accruing to the citizens of the U. States from a reliance on any agreement, however unauthorised, made in His Majesty's name. The mere allusion to this latter circumstance dispenses me from further

noticing the effects which you describe as being produced upon the U. States by the circumstances of this agreement. How far they are irrevocable it is not for me to determine—but the word irrevocable seems to imply that a loss had been sustained on the occasion by the public or by individuals of this country. So far as His Majesty could be possibly supposed answerable for such an eventual loss, he has, as I have before stated, taken the utmost precaution to avert it.

As to the expectation entertained here, that the explanation of His Majesty's share in this transaction should be made through me, I might content myself with simply observing, that I was not provided with instructions to that effect, because it was known that the explanation in question had already been given. But it accords with the sentiments of His Majesty towards this country to observe also, that he considered, that as some time must necessarily elapse between my appointment and my entrance on the duties of my Ministry, it would be a more friendly mode of proceeding to state without delay, and through the channels I have already mentioned, the motives that compelled His Majesty to disavow the agreement, than to leave the American government in uncertainty in these respects, till the unavoidably protracted period of my arrival in America. I say this in regard to the original notification of his Majesty's determination, and of the motives of it, which being already made, it could not be supposed in London that a repetition of them would be expected from me; and of course no such case has been foreseen in my instructions. But if, beyond this any incidental explanation or discussion should be wished for by this government, I came fully prepared to enter into them. I even considered them to have taken place between us. I have certainly derived great satisfaction from the several hours, which we have spent in conference upon these subjects, because they have enabled me to remove some misunderstandings, and to refute many misrepresentations which you yourself informed me of, in regard to the conduct of the British government. I consider such mutual explanations as highly beneficial to a right understanding of the views and interests of the two countries, and I should with much pleasure have renewed them, if you had not informed me that the President had been pleased to prescribe another and a different mode of conducting our negotiations.

I will nevertheless avail myself of that mode which he still permits to repeat to you that His Majesty has authorised me, notwithstanding the ungracious manner in which his former offer of satisfaction for the affair of the Chesapeake was received, to renew that which Mr. Erskine was instructed to make. You have said that you so fully understood the particulars of that offer, that I deem it unnecessary to recapitulate them here: I regret that they were so clearly understood by you, you should not yet have been enabled to state to me either in our personal communications, or in the letter which I am now answering, whether they are considered by the President as satisfactory, or whether they are such as he ultimately means to accept. You seem not so distinctly to have understood the form of proceeding in this affair, which took the liberty of suggesting as likely to lead to a satisfactory result, without however at all prejudging any other method which might appear preferable to you. My proposal was, not to communicate a note tendering satisfaction, but to agree with you before hand upon the terms of declaration on the part of His Majesty, which should actually give the satisfaction, (the conditions of which I informed you that I was authorised to carry into immediate execution) and of a counter declaration to be signed by you on the part of the U. States for the purpose of accepting such satisfaction. I expressly stated that this interchange of official documents was not meant by me as the means of conveying to each other our respective sentiments; that I understood to be, as usual, the object of our conferences; and I imagine that the papers to be signed by us, respectively, would be the result of those sentiments so communicated, and that by being reciprocally corrected and modified, and simultaneously delivered, they would form one compact by which the two countries would be equally bound. This course of proceeding is conformable to the practice of the courts of Europe on similar occasions. You did not at the time appear to object to

it; you even requested me to come the next day, prepared with a draft or project of a paper, framed in pursuance of these ideas; and although you desired to refer the subject to the President for his approbation, I do not find in your letter either an expression of his sentiments upon it, or the substitution of any other form that might be more agreeable to him, than the one which I have proposed.

(To be continued.)

NEW-YORK, Nov. 24.

Last evening arrived at this port the new and fast sailing ship Hercules, capt. Vose, and the passengers have very politely favoured the editors of the Mercantile Advertiser, with London papers, Lloyd's List, and price Current, to the 19th of Oct. inclusive, (two weeks later than our former advices) from which we have extracted the most important articles.

The papers contain the important news of a peace having been signed between France and Austria, at Altenburg, on the 3d of October, and that Bonaparte was on his way to Paris. We are not in possession of the terms of the peace; but understand from the passengers in the Hercules, that the emperor of Austria resigned every thing but Hungary and Bohemia.

Our London papers do not furnish us with advices from Spain and Portugal, later than our former accounts. The island of Walcheren was still in the possession of the British, who have sent out several physicians to attend the sick, and fresh troops to reinforce the garrisons.

A change in the British ministry has also taken place. Mr. Percival succeeds the Duke of Portland as prime minister; Mr. Canning has resigned; and is succeeded by Lord Bathurst; and Dundas Saunders fills Lord Cuffley's situation. Several other changes are spoken of, among whom is Lord Grenville.

We also find in a paper of the 11th October the following paragraph, that "the American ship Horace passed Elnesur on the 29th Sept. having on board Mr. John Quincy Adams, the newly appointed minister to the court of St. Petersburg from the U. States. The Horace notwithstanding the importance of her charge, was compelled by the Danish government to pay the Sound dues, before she was permitted to proceed on her voyage."

LONDON, OCT. 14.

Two hundred and forty vessels, laden with Russian produce have arrived in our ports; so that our markets will overflow with hemp, tallow, and other Russian articles.

In consequence of licenses being within this week resolved to be granted to import grain and flour from France or Holland, there are six hundred licenses and upwards now in the office of the Earl of Liverpool, waiting for his signature.

October 13.

PEACE BETWEEN FRANCE AND AUSTRIA.

The public are at length awakened from the vain and delusive hope, so fondly cherished by the war faction—the tribe of loan mongers—the remitters—the money changers—the contractors—the speculators—the top-sellers—the provision merchants—the cannon merchants—and their vernal mouth pieces and trumpeters—the Times—the Post—the Courier—and the other hiring scribes of Lloyd's and Whitehall. Of peace between France and Austria we never doubted; nor did we ever hesitate to avow an opinion which seemed so entirely consistent with probability. Where now, are the warlike preparations—the cunning—the diplomatic delay of Austria; the renewed contest for the last stake of Germany, with which, not ten days ago, the spirits of the war faction were cheered by the London newspapers—those pure fountains of truth and probability? Will the certainty of further contest with France ever reach the minds of the "true believers" of those supposed articles? We greatly fear that there is more of wilful than of mental blindness in the politico-commercial war junta. Mahomet propagated the doctrines of Islamism by the sword; but for England it was reserved to the 19th Century, to propagate commerce by the same gentle and persuasive argument!

The following summary is from Portuguese papers to the 27th of last month.

Venegas was at Carolina on the 8th, with 26,860 infantry; the cavalry in La Mancha. Romana arrived at Badajoz on the 14th of Sept. and proceeded

ed on the 10th to Seville. The army of Galicia was shortly expected at Ciudad Rodrigo.

The French who occupied Coria have retreated into the interior of Spain. Ney's army is in Salamanca—That of Soult consists of 30,000 men, his head quarters are at Placentia. Gen. Mortier has 10,000 men, and his head quarters were at Talavera, on the 10th of Sept. Victor has 30,000 men, and his head quarters are at Toledo. Sebastian has 1000 men, and his head quarters are at Puenladarida.

The head quarters of the English army are at Badajoz—an advanced division is at Lobau—and another at Merida. The bridge of Arzobispo is defended by only eight thousand men. The duke de Parque with a considerable force, has occupied Ciudad Rodrigo, where the army of Galicia is shortly expected.

On the first of September, Gerona was relieved by the arrival of 6000 beefs, with provisions and ammunition, conveyed by 6000 men. The fire against Gerona has ceased. The expectations of the Spaniards are high, and their language as usual, confident and lofty—But Napoleon, at length released from his labours in Germany, may naturally be expected very shortly in Madrid.—That reinforcements from France are pouring into Spain, through the Pyrenees, is folly to doubt; and judging of the future by the past, we apprehend, that ere the present year concludes, the probability of success by the universal Spanish nation will be no longer credited even at Lloyd's.

*Bonaparte's Indisposition.*—The following account of Napoleon's illness is copied from a respectable Sunday paper:—"A gentleman who left Paris, so short a time ago as Saturday, the 30th ult. confirms the rumours which have reached us from various quarters, of the indisposition of Bonaparte. His malady was a violent fever, accompanied with delirium, brought on by an imprudent exposure of his person to the air while in a frigid perspiration. It occurred toward the latter end of August.—He had been occupied during the whole of the forenoon of a very hot day in reviewing a corps of the army, and directing some manoeuvres, & had just returned to Shoenbrunn, when an ambassador extraordinary with a letter from the emperor of Russia, arrived. Without reliving himself, or seeking corporal refreshment from a change of clothes, he desired the ambassador to be introduced, and having read the letter, he withdrew with him into the garden of the palace, where he remained for more than two hours in conversation; the whole of which time, according to reports at Paris, his head was uncovered. In the course of the night he felt himself indisposed, and before the close of the following evening he was considered, by the physicians in attendance, to be in so dangerous a state, that expresses were sent off to Paris for further medical assistance. The strength of his constitution, however, triumphed over the disease, and before the end of the month he was declared convalescent. The army, for obvious reasons, was kept ignorant of his indisposition. The hasty departure of the medical men first excited any suspicion on that head at Paris, where we understand, so far as an opinion could be formed, from words and "hews of grief," the people in general were much afflicted by the intelligence. Whether this was the prevailing sentiment in other parts of France, our informant had not an opportunity of judging. The impression at Paris respecting the issue of the negotiations at Altenburgh, was quite different from what, reasoning from the articles in the Dutch and German Papers, we have received in this country.—There they speculated confidently upon a speedy peace. The latest accounts arrived there from Vienna were decidedly pacific. Bonaparte was expected to reach St. Cloud before the 15th instant, and it was supposed he would proceed to Spain within a few days after. Several relays of horses had been sent forward on the road to Bayonne. Orders had also been dispatched to Tours, to make preparations for the passage of 80,000 men. These were considered as conclusive proofs that the terms of the arrangement with the emperor of Austria were finally settled. The emperor Alexander, it was said had consented to become the guarantee of the peace.

ANTWERP, Oct. 8.

The climate of the island of Wal-

cheren proves so destructive to the English, that in the sole burying ground of the city of Flulling, 513 graves have been dug, containing each 4 soldiers, and 19 graves for officers.

AMSTERDAM, Oct. 11.

His majesty yesterday received the happy intelligence that peace between Austria and France was signed on the 3d of this month at Altenburgh.

CHARLES-TOWN, Dec. 8.

On Monday last a duel was fought near the city of Washington, between Mr. John G. Jackson, and Mr. Joseph Pearson, both members of the house of representatives of the United States. Mr. Jackson is said to have been mortally wounded.

We have reason to believe that the account published in our last paper of the death of Gen. Wade Hampton, is unfounded.

From the Independent American.

We are grieved to relate that, yesterday, in the Capitol, Capt. COLES, the President's Secretary, conceiving himself greatly and unjustly, and unnecessarily abused by Mr. Roger Nelson, a member of the house of representatives of the U. S. in a late trial in which Capt. Coles was a party, and Mr. Nelson advocate for the opposite party, called on him for some explanation; which was refused; and contempt offered instead of reparation or even discussion: on which Capt. Coles gave said Nelson with a horse-whip, what he deemed a proper chastisement. The intervention of a Senator, and other gentlemen standing near, prevented any excess of castigation.

A letter from Liverpool, dated Oct. 20, by the Hercules, says, "We have just received intelligence that the Spanish government have ordered the British troops and vessels to depart from their territory and harbors immediately. No reason is assigned for this measure."

Deed of Trust.

BY virtue of a deed of trust executed to me by Edward Ganti, 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.

Public Sale.

WILL be sold on Monday the 18th instant, at the late residence of George S. Washington, deceased, the remaining part of the personal estate of said dec'd, consisting of Horses, Waggon, Gears, and a number of Farming Utensils. Also a quantity of

CORN AND RYE.

Nine months credit will be given—the purchaser giving bond and security. At the same time will be hired out for the ensuing year, a number of Negroes, consisting of men, women, boys and girls.

The sale to commence at ten o'clock in the forenoon.

LUCY WASHINGTON, Ex'trix

of G. S. Washington, dec'd.

December 5, 1809.

Negro Man for Sale.

WILL be offered for sale, for Cash, on Tuesday the 12th instant, (being court day for Jefferson county,) before George Hite's door in Charles town, a likely Negro Man, about 23 years of age.

J. S.

December 8, 1809.

Deed of Trust.

IN pursuance of a deed of trust executed to the subscriber by Griffin Stith, and Mary his wife, to secure the payment of a certain sum of money due from said Stith to Messrs. Holloway and Hauserd, 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, Battale Musc and others.

SAM. WASHINGTON,

Trustee.

December 8, 1809.

# Farmer's Repository.

VOL. II. CHARLES TOWN, (Jefferson County, Virginia,) PRINTED BY RICHARD WILLIAMS. No. 90.  
TWO DOLLARS PER ANNUM, FRIDAY, DECEMBER 15, 1809. PAYABLE ONE HALF IN ADVANCE.

### JACKSON'S CORRESPONDENCE.

*Continued.*

I touch with considerable and very sincere reluctance upon that part of your letter, in which you state that I had not assigned "any reason whatever why the reasonable terms of satisfaction tendered and accepted have not been carried into effect."

I believed that I had observed to you, in the words of my instructions, that if His Majesty were capable of being actuated by any desire to retract an offer of reparation which he had made, His Majesty might be well warranted in doing so both by the form in which his accredited Minister had tendered that reparation, and by the manner in which that tender had been received. I believe that I elucidated this observation by a reference to the particular expressions, which made the terms of satisfaction appear to be unacceptable even to the American government, at the very moment when they were accepted, and which at all events put it totally out of His Majesty's power to ratify and confirm any act in which such expressions were contained.

On the subject of His Majesty's Orders in Council, I have had the honor of informing you that His Majesty having caused to be made to the government of the U. States certain proposals founded upon principles, some of which were understood to originate in American authorities, and others to be acquiesced in by them; and having afterwards ascertained, in the manner mentioned in a former part of this letter, that the sentiments of the American government were so different from what they were at first understood to be, I was not instructed to renew to you those proposals, nor to press upon your acceptance an arrangement which had been so recently declined, especially as the arrangement itself is become less important, and the terms of it less applicable to the state of things now existing.

Those considerations which were first intimated in Mr. Canning's official letter to Mr. Pinkney of the 23d Sept. 1808, and which, in the process of the following six months, acquired greater weight and influence, induced His Majesty, before the result of Mr. Erskine's negotiation was known, to modify the Orders in Council of Nov. 1807, by that of the 26th of April, 1809.

The effect of this new order is to relieve the system under which the former orders were issued, from that which has always been represented in this country, as the most objectionable and offensive part of it—the option given to neutrals to trade with the enemies of G. Britain through British ports on payment of a transit duty. This was originally devised and intended as a mitigation of what is certainly more correct but more rigid in principle—the total and unqualified interdiction of all trade with the enemy. If, however, this mitigation was felt as an aggravation, and, as has been sometimes warmly asserted, as an insult, that cause of complaint is now entirely removed. By the order in Council of the 26th April, 1809, all trade with France and Holland, and the ports of Italy, comprehended under the denomination of the kingdom of Italy, is simply prohibited altogether. No option is afforded, and consequently no transit duty is required to be paid. In another respect the order in Council of the 26th April must be admitted to be more restrictive than those of Nov. 1807.

The trade with enemies colonies which was opened to neutrals at the commencement of the present war by the order in Council of the 24th June, 1803, was continued to be left open by those of Nov. 1807. The order in Council of the 26th April retracts this indulgence. But it is to be observed, that, since the period, when the orders in Council of Nov. 1807 were issued, the opening of the ports of Spain, of Portugal, of the south of Italy and of Turkey has afforded a more ample scope to neutral commerce, and that by the capture of Martinique, in addition to that of almost all the colonies of the enemies of G. Britain, together with the blockade of Guadalupe, the extent to which the liberty of commerce with enemies' colonies applied has been so far narrowed, that there is little of practical hardship in recurring to the rule which, however occasionally mitigated in its application, Great Britain can never cease in principle to maintain. It is farther to be observed, that the Order in Council of the 26th April has this operation highly favorable to neutrals, that restricting the regulations of blockade to France, Holland and their colonies, and to the territories denominated the kingdom of Italy, it lays open to the direct trade of neutrals the ports of the north of Europe. Under the Order of the 26th April, therefore, while there are on the one hand fewer points of difference to stand in the way of a satisfactory arrangement between G. Britain and the U. States; it is possible that there may be less temptation to the latter, to enter into such an arrangement, as the extent of their commerce may be, if they please, nearly as great under the Order in Council of the 26th April, as it would be under any arrangement which should effect the indispensable objects, to which that order applies, or as it would be even without any such order so long as France and the powers subservient to France continue to enforce their decrees. It is, in the same proportion, matter of indifference to G. Britain, whether the Order in Council be continued or an arrangement by mutual consent substituted in its room.

Such, Sir, are the grounds on which it has appeared to His Majesty to be unnecessary to command me to propose to the government of the U. States any formal agreement to be substituted for that which His Majesty has been under the necessity of disavowing; but I am directed to receive and discuss with you any proposal which you may be authorized to make to me on this head.

As no disposition has hitherto been shewn on your part to make any such proposal, it has been impossible for me to flatter by anticipation (nor was I instructed so to do) what might be the answer that I should eventually think it my duty to return to you; consequently I could not have made with that view the statement contained in the 4th section of your letter, and the three subdivisions of it. Such a statement, would have been obviously inconsistent with the former part of my overture, which you very correctly regard in the 3d section, viz. that I was not instructed to make to you any proposal whatever upon this subject. I must necessarily reserve, until I hear from you what proposals it may be deemed proper to make on behalf of the U. States, to state in how far they do or do not accord with the instructions, which it has pleased His Majesty to give me for my guidance in this negotiation.

I will only add, sir, in conclusion of this letter, that His Majesty is very sincerely desirous of maintaining a perfect and cordial understanding with the U. States, and of bringing to a complete and satisfactory adjustment, all the points of difference that have arisen between the two governments; and that, agreeing as I do with you, most heartily, as to the interest which both nations have in fostering a mutual and solid friendship and cordiality, no zeal or exertions shall be wanting on my part to carry into effect His Majesty's commands for this most salutary purpose.

I have the honor to be, with great respect, Sir, your most obedient humble servant,

F. J. JACKSON.  
*The Hon. Robert Smith, &c. &c. &c.*

MR. SMITH to MR. JACKSON.  
*Department of State, Oct. 19, 1809.*

SIR,

I have had the honor of receiving your letter of the 11th inst.

Before I proceed to the more material topics, which it embraces, it is proper that I should take some notice

of your construction, which has unhappily converted an intimation of the expediency of conducting in a written form our further discussions, on this particular occasion, into a general prohibition of all verbal communication, whatever, and into a general violation of the most essential rights of public ministers, requiring a formal protest and a resort to the commands of your sovereign.

A recurrence to that intimation cannot fail to shew that its sole object was to avoid, in the further discussions of a case of unusual delicacy and importance, the misconceptions well known to be incident to oral proceedings, and of which the diplomatic intercourse between the two governments had furnished so many and such serious proofs,—nay, of which your letter itself is an additional illustration. That a change in diplomatic discussions from an oral to a written form is not without precedent I cannot refer to you which will be more satisfactory to you than the intimation recently given by Mr. Canning, in the case of the proposal by Mr. Pinkney on the subject of the Orders in Council and the Embargo, that the discussions which had been previously verbal must thenceforth take a written form. And with this view I take the liberty of recalling your attention to the subjoined extracts (See A and B.) of letters that passed on that occasion.

On the present, as on that occasion, the change from verbal to written communications was requested after two conferences, and when the subject appeared to one of the parties to have, by those verbal discussions, been brought to a point, which required a precise understanding of the views and propositions of the other.

You will, sir, hence perceive, that in maintaining the right, which every government has as to the rules of intercourse with foreign functionaries near it, no encroachment has been made or intended on any right or customary privilege belonging to you in that character, nor any thing done to impede the proper and usual course of negotiation.

You have been sufficiently apprised, by my letter of the 9th, of the light in which the President views the arrangement lately made by your predecessor with this government, and of the grounds on which he has expected a formal and satisfactory explanation of the reasons for the refusal of his Britannic Majesty to carry it into effect. He persists in that expectation, and in the opinion, that there has been given no explanation that is adequate, either as to the matter, or as to the mode.

When one government has been solemnly pledged to another in a mutual engagement by its acknowledged and competent agent and refuses to fulfill the pledge, it is perfectly clear, that it owes it, both to itself and to the other party, to accompany its refusal with a formal and frank disclosure of sufficient reasons for a step, which, without such reasons, must deeply injure its own character, as well as the rights of the party confiding in its good faith.

To refuse with honor (says a high authority on public law) to ratify what has been concluded on by virtue of a full power, it is necessary that the government should have strong and solid reasons, and that he flew in particular that his Minister has violated his instructions.

Although it is particularly incumbent on the Sovereign in such a case to shew that his instructions have been violated, yet it is not a mere violation of them on immaterial points that will be sufficient. It is indispensably requisite, moreover, that they manifestly weigh not only the general obligation to abide by what has been so done, but also the disappointment and injury accruing to the other party. And it is worthy of notice that the case under discussion is of a higher character, and appeals with greater solemnity to the honor and justice of the refusing party, than the case stated in *Mattel*, inasmuch as the transactions now disavowed, was not a treaty or convention to be ratified by both parties, previous to an execution by either. It had according to the terms of it (and this peculiarity appears to have been contemplated by your government) been actually and immediately carried into execution on the part of the U. States. The refusal of his Britannic Majesty is, therefore, not simply to ratify what had been ratified by the other party, but to carry into effect on his part an arrangement which had been carried into full effect with good faith on the part of the U. States. Nay, the case is strengthened by the further peculiarity, that some of the circumstances attending the execution of the arrangement on the part of U. States render it unsusceptible of a full equivalent for the refusal to execute it on the other side.

It has not escaped observation, that the obligation of your government to tender explanations on this occasion is admitted by your attempt to shew that it has been sufficiently done in what passed in conversation between Mr. Canning and Mr. Pinkney, and by the instructions given to Mr. Erskine to communicate such explanations.

With every disposition to view in the most favorable light whatever may affect the relations between the two countries, it is impossible to mistake the conversations of those ministers for a discharge of such a debt to the good faith and reasonable expectations of the U. States. Besides that they were mere conversations in a case requiring the precision and respect of a formal communication, it is certain, that it was neither understood by Mr. Pinkney, nor intended by Mr. Canning, that those conversations were so to be regarded. Mr. Pinkney is explicit on this point. And Mr. Canning himself, after declining to recapitulate in writing what he had verbally remarked, signified to Mr. Pinkney in a letter dated May 27th, that his observations on the subject would be more properly made through the successor of Mr. Erskine, who was about to proceed to the U. States.

With respect to the instructions on this point, given to Mr. Erskine, it might be sufficient to remark that they were never carried into execution; but it may be asked, whether it was a mark of friendly respect to the U. States to employ for such a purpose, a minister from whom his government had thought proper publicly to withdraw its confidence, and to the peculiar delicacy and embarrassment of whose situation you have yourself referred, as accounting for his not having executed the task imposed upon him.

I must here repeat, what was suggested in my former letter, that the successor of Mr. Erskine is the proper functionary for a proper explanation. Nor can I perceive the force of your remark, in the U. States attendant to your arrival in this country, that it is more consistent with the friendly sentiments of his Majesty to prefer the other channels for communicating the motives for his disavowal. To your own reconsideration I appeal, whether the course most consistent to those friendly sentiments was not the obvious one of employing the new organ, guarding at the same time against any misconstruction of the cause of it. The supposition, that the delay incident to your mission gave rise to the conversation of Mr. Canning and Mr. Pinkney, is not reconcilable to the correspondence of the letter, which contains no such indication. On the contrary it distinctly shews that he was apprised of the intention to replace Mr. Erskine by a successor, whom he regarded as the proper channel for the explanatory communications, that he understood Mr. Canning to be under the same impression, and that he learned from yourself, not more than two days after his conversations with Mr. Canning, that you were to sail for the U. States within three weeks.

Although it may not have been your intention to have given to this subject a posture which it would not have nature

*(Continued on the 4th page.)*

### 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.

### Forty Dollars Reward.

**RAN AWAY** from the following 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 Wallington's quarters, 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.

### 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 scrupulous 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.

Charlestown, Nov. 17, 1809.

### Land for Sale.

THE subscriber being desirous to move to the Kenhawa to live, offers for sale, the tract of land, on which Mr. John Packett has lived for some years past. It contains 214 acres, 55 of which are in timber, which has been ascertained by actual survey, made a few weeks since by Mr. Wm. McPherson. This land is of very superior quality, and lies within two miles of Charlestown. A great part is remarkably well adapted to the growth of timothy. There are now on 11 or 15 acres of good meadow, and more could be conveniently made.

He will also sell a tract of 119 acres, which lies between the tracts he sold to Capt. Baylor, and the one he sold to Mr. Andrew Parks, in the rich woods. The payments for both, or either of these tracts of land will be made easy to the purchaser. The terms will be made known by application to Mr. John Packett, or to the subscriber living near Winchester, who also offers for sale the land he now lives on near said town.

LAU. A. WASHINGTON.  
November 4, 1809.

### John R. Cooke, ATTORNEY AT LAW,

TENDERS his professional services to his fellow citizens of Jefferson County. He will attend both the inferior and superior Courts. Martinsburg, Oct. 20, 1809.

Jefferson, Oct. 20, 1809.

### George Newkirk, Complainant, against

John Maxwell Swann, William Glassell 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 an 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. GEO. HITE, Ck.

### RAGS.

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

### Best Writing Paper.

For sale at this Office.

### CAUTION.

WHEREAS my wife Susannah has left my bed and board without cause or provocation, I do hereby forewarn all persons from trifling 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 milk COW, about seven years old, midding small crooked horns, no ear mark collected. The above reward will be given for the above stray, with all reasonable expenses if brought home.

Wm. STEPHENSON.  
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.

### 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, 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.

### 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.

### NOTICE.

ALL persons indebted to the estate of Jehu Lathels, deceased, are requested to make immediate payment to the subscriber; and those having claims against the said estate are desired to exhibit them properly authenticated.

JOHN CLARK, Adm'or.  
October 6, 1809.

### JUST PUBLISHED, And to be had at this Office,

A POLITICAL WORK, ENTITLED **THE WHOLE TRUTH.**  
PRICE 25 CENTS.

### Blank Deeds

For sale at this office.

journal through us, until Death's chilling blast extinguished the spark that warmed his bosom. This last job gave the finishing stroke to his business, and he lies here until that old Pubeizer, TIME, shall reduce him to Powder. The bearded grass nods o'er his cold habitation, and the fanning West Winds brushes gently by him.

GENTLE READERS  
IF  
This Melancholy Recital  
Should raise  
the  
Bristles of thy head,  
Please to call on  
BENJAMIN FRIZZLE,  
His  
HEIR AND SUCCESSOR,  
Whose solitary applications will  
lighten the brow of care, and make thy  
pericranium as smooth as a Weasel.

### 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 HAYNE.  
Charlestown, Dec. 1, 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.

### NOTICE.

MUTUAL ASSURANCE SOCIETY.  
ANNUAL GENERAL MEETING.  
THE annual general meeting of the MUTUAL ASSURANCE SOCIETY against fire on buildings of the state of Virginia, will be held, by adjournment at the Capitol in the city of Richmond, on the second Monday in Dec. next, (being the 11th day of Dec.)

SAMUEL GREENHOW,  
P. Agent, M. A. S.  
Richmond, Nov. 10th, 1809.

P. S. As much inconvenience and unnecessary expence results from the present mode of collecting the contributions of the members; which annually diverts a considerable part of those contributions from the uses for which they were intended—burdens individuals with heavy costs, and greatly delays the collections, to the injury of the credit of the society, the general meeting at their last annual session, applied to the legislature, to authorise a more certain, expeditious, and less expensive mode of collection. Their application was rejected, under an impression, that the members of the society might not approve this act of their proxies.

Having been informed that, a similar proposition will be submitted to the consideration of the next general meeting, and believing some amendment in that respect necessary to the prosperity of the institution, I have thought it proper to give this public notice thereof.

S. GREENHOW, P. A.  
November 27.

### 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 usual papers.

November 17, 1809.

### By the author of a Poem, called HOME,

published this year at Edinburgh!

THE TOMB OF MY FATHERS.

Subdued by misfortunes, and bowed down with pain,  
I sought on the bosom of peace to recline;  
I hid to the Home of my Fathers again,  
But the Home of my Fathers no longer was mine.

The look that spoke gladness and welcome, was gone;  
The blaze that shone bright in the hall, was no more;  
A stranger was there, with a bosom of home,  
And cold was his eye as I entered his door.

'Twas his, deaf to pity, to tenderness dead,  
The falling to cruth, and the humble to spurn;  
But I laid not his scorn,—from his mansion I fled,  
And my beating heart vowed never more to return.

When Home shall receive me! One Home yet I know,  
O'er its gloomy recess, see the pine-branches wave.  
'Tis the Tomb of my Fathers. The world is my foe,  
And all my inheritance now is a grave.

'Tis the Tomb of my Fathers. The grey moistened walls,  
Declining to earth, speak, emphatic, decay;  
The gate, off its hinge, and half-opening calls,  
"Approach, most unhappy, thy dwelling of clay!"

Alas, thou sole dwelling of all I hold dear,  
How little this meeting once augured, my break!  
From a Wanderer accept, oh my Fathers, this tear,  
Receive him, the last of his race, to thy rest.

ANECDOTE.

A Neapolitan nobleman fought fourteen duels to prove that Dante was a greater poet than Aristo. At this death-bed, his confessor, who was a great admirer of Aristo, desired him to acknowledge the superiority of this poet. "Father," answered the dying nobleman, "to tell you the truth, I never read either Dante or Aristo." Were the causes of many modern duels examined, it would appear that those engaged in them could assign no better reason for risking the loss of their own lives, or those of their fellow creatures, than this Neapolitan nobleman.

From the Kennebec Gazette.

EPITAPH ON A BARBER.

Here are deposited the remains of FRANK FRIZZLE, late of this country Barber and Hair dresser. By birth a Pole-ander.

His distinguished talents were penetration and perseverance, and his numerous patrons can give proof of the keenness of his judgment. Active and assiduous in the sphere he moved, he early arrived at the head of his business. Independent in his nature, he has often taken Pride by the nose, and has many a time lathered impudence. He was so great a politician yet could tell a Wig from a Tory. Though he despised low actions, yet none, strange as it may seem, stoop'd offener to meanness. He was expert at picking locks, yet was never known to have done it with dishonest intentions. He was so great a physiognomist, and so insinuating in his manners, he could tell the secret working of men's heads. And like the immortal Shakespeare, held the mirror up to nature. Although he had nothing to do with the trade, he was as full of shaving as a house carpenter. He associated with men of talents, yet he rather chose blockheads for his constant companions. Finding them subservient to his schemes for accumulating wealth, he kept them merely as his TOOLS TO WORK ON. Thus did he pass his so-