

MARYLAND GAZETTE.

[LXVIIIth YEAR.]

THURSDAY, JUNE 4, 1812.

[No. 3412.]

MARYLAND GAZETTE.

ANNAPOLIS, THURSDAY, JUNE 4, 1812.

FOREIGN RELATIONS.

To the Senate and House of Representatives of the United States.

I communicate to congress for their information, copies and extracts from the correspondence of the Secretary of State and the minister plenipotentiary of the U. S. at Paris. These documents will place before congress the actual posture of our relations with France.

JAMES MADISON.
May 26, 1812.

CORRESPONDENCE.

Letters from the Secretary of State to Mr. Barlow.

Mr. Monroe, Secretary of State, to Joel Barlow, Esq.

Department of State, July 26, 1811.

SIR—It is the desire of the president that you should set out without delay, for Paris, to commence the duties of the office of minister plenipotentiary to the emperor of France, with which you are invested. A frigate prepared for your accommodation, will receive you at Annapolis, and convey you to the most convenient part of that country. I enclose you a commission and letter of credence, with such other documents as are necessary to illustrate the subjects on which you will have to act.

With the ordinary duties of the office you are too well acquainted to require any comment on them in this letter. There are, however, some subjects of peculiar importance which will claim your attention immediately after your reception. On these it is proper that you should know distinctly the sentiments of the president.

The United States have claims on France, which it is expected that her government will satisfy to their full extent and without delay. These are founded partly on the last arrangement, by which the non importation law of the 1st May, 1810, was carried into effect against G. Britain, and partly on injuries to their commerce, committed on the high seas and in French ports.

To form a just estimate of the claims of the first class, it is necessary to examine minutely their nature and extent. The present is a proper time to make this examination & to press a compliance with the arrangement, in every circumstance, on its just principles on the government of France. The president, conscious that the U. States have performed every act that was stipulated on their part, with the most perfect good faith, expects a like performance on the part of France. He considers it peculiarly incumbent on him to request such explanations from her government, as will dissipate all doubt of what he may expect from it in future, on this and every other question depending between the two nations.

By the act of May 1st, 1810, it was declared, that in case G. Britain or France should, before the 3d day of March 1811, revoke or modify her edicts as that, they should cease to violate the neutral commerce of the U. S. which fact the president should declare by proclamation, and if the other nation should not within three months thereafter, revoke or modify its edicts in like manner, then the 3, 4, 6, 7, 8, 9, 10 and 18th sections of the act, entitled, "An act to interdict the commercial intercourse of the U. States and Great-Britain and France, &c" should, from and after the expiration of 3 months, from the date of the proclamation aforesaid, be revived and have full force and effect, so far as relate to the dominions, colonies and dependencies, and to the articles the growth, produce or manufacture of the dominions, colonies, and dependencies of the nation thus refusing or neglecting to revoke or modify its edicts, in the manner aforesaid.

This act having been promulgated and made known to the governments of G. Britain and France, the minister of the latter by note, bearing date on the 5th August, 1810, addressed to the minister plenipotentiary of the U. States at Paris, declared that the decrees of Berlin and Milan were revoked, the revocation to take effect on the first of Nov. following; but that this measure was adopted in compliance with the law of 1st May, 1810, to take advantage of the condition contained in it, and in full confidence that that condition would be enforced against G. Britain, if she did not revoke her orders in council, and renounce the new principles of blockade.

This declaration of the emperor of France was considered a sufficient ground for the president to act on; it was explicit as to its object and equally so as to its import. The de-

crees of Berlin and Milan, which had violated our neutral rights, were said to be repealed, to take effect at a subsequent day, at no distant period, the interval apparently intended to allow full time for the communication of the measure to this government. The declaration had, too, all the formality which such an act could admit of, being through the official organ on both sides—from the French minister of foreign affairs, to the minister plenipotentiary of the United States at Paris.

In consequence of this note from the French minister of foreign affairs, of the 5th Aug. 1810, the President proceeded, on the 2d November following, to issue the proclamation, enjoined by the act of May 1st, of the same year, to declare that all the restrictions imposed by it, should cease and be discontinued, in relation to France and her dependencies. And, in confirmation of the proclamation of the president, the congress did, on the 2d March, 1811, pass an act, whereby the non importation system, provided for by the 3, 4, 5, 6, 7, 8, 9, 10 and 18th sections of the act, entitled, "An act to interdict the commercial intercourse between the United States and Great-Britain and France and their dependencies," was declared to be in force against Great Britain, her colonies and dependencies, with a provision in favour of such vessels or merchandizes as might be seized before it was known that G. Britain had revoked or modified her edicts within the time and manner required by the said act, if such should be the case; and with a provision, also, in favour of any ships or cargoes owned wholly by citizens of the U. S. which had cleared out for the Cape of Good Hope, or for any other port beyond the same, prior to the 2d day of November, 1810. Both of these provisions were in strict justice and good faith, due to the parties to be affected by the law; they were also conformable to the spirit of arrangement to execute which the law was passed. As G. Britain did not revoke or modify her edicts, in the manner proposed, the first provision had no effect.

I will now inquire whether France has performed her part of this arrangement.

It is understood that the blockade of the British isles is revoked. The revocation having been officially declared, and no vessel trading to them having been condemned or taken on the high seas that we know of, it is fair to conclude that the measure is relinquished. It appears, too, that no American vessel has been condemned in France for having been visited at sea by an English ship, or for having been searched or carried into England or subjected to impositions there. On the sea, therefore, France is understood to have changed her system.

Although such is the light in which the conduct of France is viewed in regard to the neutral commerce of the U. States since the 1st of November last, it will nevertheless be proper for you to investigate fully the whole subject, and to see that nothing has been, or shall be omitted on her part in future, which the U. States have a right to claim.

Your early and particular attention will be drawn to the great subject of the commercial relation which is to subsist in future between the U. S. and France. The President expects that the commerce of the U. States will be placed in the ports of France on such a footing as to afford to it a fair market and to the industry and enterprise of their people a reasonable encouragement. An arrangement to this effect was looked for immediately after the revocation of the decrees; but it appears from the documents in this department that was not the case; on the contrary that our commerce has been subjected to the greatest discouragement, or rather to the most oppressive restraints; that the vessels which carried coffee, sugar, &c. though sailing directly from the U. States to a French port, were held in a state of sequestration on the principle that the trade was prohibited, and that the importation of those articles was not only unlawful, but criminal; that even the vessels which carried the unquestionable productions of the United States were exposed to great and expensive delays, to tedious investigations in unusual forms, and to exorbitant duties. In short, that the ordinary usages of commerce between friendly nations were abandoned.

When it was announced that the decrees of Berlin and Milan were revoked, the revocation to take effect on the first of November last, it was natural for our merchants to rush into the ports of France to take advantage of a market to which they thought they were invited. All these restraints, therefore, have been unjust in regard to the parties who suffered by them; can they be reconciled to the respect which was due to this go-

vernment. If France had wished to exclude American commerce from her ports, she ought to have declared it to this government, in explicit terms, in which case due notice would have been given of it to the American merchants, who would either have avoided her ports, or gone there at their own hazard. But to suffer them to enter her ports, under such circumstances, and to detain them there under any pretext whatever, cannot be justified.—It is not known to what extent the injuries resulting from these delays have been carried. It is evident however, that for every injury thus sustained, the parties are entitled to reparation.

If the ports of France and her allies are not opened to the commerce of the U. States on a liberal scale and on fair conditions, of what avail to them, it may be asked, will be the revocation of the British orders. In contending for the revocation of those orders, so far as it was an object of interest, the United States had in view a trade with the continent. It was a fair and legitimate object and worth contending for, while France encouraged it. But if she shuts her ports to our commerce, or burdens it with heavy duties, that motive is at an end.

That France has a right to impose such restraints is admitted! but she ought to be aware of the consequences to which they necessarily lead. The least that ought to be expected to follow, would be such counter-vailing restrictions on the French commerce as must destroy the value of the intercourse between the two countries and leave to the U. States no motive of interest to maintain their right to that intercourse, by a sacrifice of any other branch of their commerce; adequate motives to such a sacrifice could only be found in confederations distinct from any reasonable pretensions on the part of France.

To the admission of every article, the produce of the U. S. no objection is anticipated, nor does there appear to be just cause for any to the admission of colonial produce. A supply of that produce will be annually wanted in France and other countries connected with her, and the U. S. alone can furnish it during the war. It will doubtless be the interest of France and her allies to avail themselves of the industry and capital of the American merchants, in furnishing those articles which the wants of their people will be supplied and their revenue increased. Several of the colonies belonged to France, and may again belong to her. Great Britain by securing to her own colonies that monopoly of her home market lessens the value of the produce of the conquered colonies. France cannot be indifferent to the distresses of her late colonies, nor ought she to abandon because she cannot protect them. In pressing this important object on the government of France, it will not escape your attention that several important articles in the list of colonial productions are raised in Louisiana, and will of course be comprised among those of the U. States.

You will see the injustice, and endeavor to prevent the necessity of bringing in return for American cargoes sold in France, an equal amount in the produce or manufactures of that country. No such obligation is imposed on French merchants trading to the U. S. They enjoy the liberty of selling their cargoes for cash, and taking back what they please from this country in return, and the right ought to be reciprocal.

It is indispensable that the trade be free; that all American Citizens engaged in it be placed on the same footing; and, with this view that the system of carrying it on by licences granted by French agents be immediately annulled. You must make it distinctly understood by the French government, that the U. S. cannot submit to that system which tends to sacrifice one part of the community to another, and to give a corrupt influence to the agents of a foreign power in our towns, which is, in every view, incompatible with the principles of our government. It was presumed that this system had been abandoned some time since, as a letter from the duke of Cadore, of to Mr. Ruffel gave assurance of it.—Should it however, be still maintained, you will not fail to bring the subject without delay, before the French government, and urge its immediate abandonment. The President having long since expressed his strongest disapprobation of it, and requested that the consuls would discontinue it is probable, if they still disregard his injunction that he may find it necessary to revoke their exequatours. I mention this that you may be able to explain the motive to such a measure, should it take place, which without such explanation, might probably be viewed in a mistaken light by the French government.

It is important, that the rate of duties imposed on our commerce, in every article,

should be made as low as possible. If they are not, they may produce the effect of a prohibition; they will be sure to depress the article and discourage the trade.

You will be able to ascertain the various other claims which the United States have on France, for injuries done to their citizens, under decrees of a subsequent date to those of Berlin and Milan, and you will likewise use your best exertions to obtain an indemnity for them. It is presumed, that the French government will be disposed to do justice for all those injuries. In looking to the future, the past ought fairly and honourably to be adjusted. If that is not done, much dissatisfaction will remain here, which cannot fail to produce a very unfavourable effect on the relations which are to subsist in future between the two countries.

The first of these latter decrees bears date at Bayonne, on 17th March, 1808, by which many American vessels and their cargoes were seized and carried into France, and others which had entered her ports, in the fair course of trade, were seized, and sequestered or confiscated by her government. It was pretended in vindication of this measure that as under our embargo law no American vessel could navigate the ocean, all those who were found on it were trading on British account and lawful prizes. The fact however was otherwise. At the time the embargo was laid a great number of our vessels were at sea, engaged in their usual commerce; many of them on distant voyages. Their absence, especially as no previous notice could be given them, was strictly justifiable under the law; and as no obligation was imposed on them by the law to return, they committed no offence by remaining abroad. Other vessels inconsiderable in number, left the U. S. in violation of the law. The latter committed an offence against their country, but none against foreign powers. They were not *disfranchised* by the act. They were entitled to the protection of their government, and it had a right to inflict on them the penalty which their conduct had expiated them to. The government of France could withdraw them from neither of these claims. The absence of none of these vessels was a proof that they were trading on British account. The cargoes which they carried with them, the value of which was much enhanced by the embargo, were alone an ample capital to trade on. As the pretext, under which these vessels were taken, is no justification of the act, you will claim an indemnity to our citizens for every species of injury arising from it.

The Rambouillet decree was a still more unjustifiable aggression on the rights of the U. S. and invasion of the property of their citizens. It bears date on the 23d March, 1810, and made a sweep of all American property within the reach of French power. It was also retrospective extending back to the 20th May, 1809. By this decree, every American vessel and cargo, even those which had been delivered up to the owners, by compromise with the captors, were seized and sold. The law of March 1st, 1809, commonly called the non-intercourse law, was the pretext for this measure, which was regarded as an act of reprisal. It requires no reasoning to shew the injustice of this pretension. Our law regulated the trade of the U. States with other powers, particularly with France and G. Britain, and was such a law as every nation has a right to adopt. It was duly promulgated, and reasonable notice given of it to other powers. It was also impartial as related to the belligerents. The condemnation of such vessels of France or England as came into the ports of the U. S. in breach of this law, was strictly proper, and could afford no cause of complaint to either power. The seizure of so vast a property as was laid hold of under that pretext, by the French government, places the transaction in a very fair light. If an indemnity had been fought for on imputed injury, the measure of the injury should have been ascertained, and the indemnity proportioned to it. But in this case no injury had been sustained on principle. A trifling loss only had been incurred, and for that loss all the American property which could be found was seized, involving in indiscriminate ruin innocent merchants who had entered the ports of France in the fair course of trade. It is proper that you should make it distinctly known to the French government, that the claim to a just reparation for these spoliations cannot be relinquished, and that a delay in making it will produce very high dissatisfaction with the government and people of these states.

It has been intimated that the French government would be willing to make this reparation, provided the U. S. would make one in return for the vessels and property only

White, received, and on hand from for cases, an assortment of new and SONABLE GOODS, CONSISTING OF Green, O n and mix- ine Broad of almost e- tion, d and Drab ord, and Mixed ets, atings, Corduroys, and Fawn es, scarlet Flan- traicoating, Florentine, and Ladies' and Coloured, Cotton Stock rted, g and Short and Coloured Kid Gloves, Cotton and Shawls, k Silk do. rence, assort- Brown Shen- strings, Antua, White Sarce- and Satin Rib- seeded, Leno mbric Muslins an assortment of GROCERIES all which he will sell on re- terms. 26, 1812. 10

To the Voters

of Anne-Arundel County, and the City of Annapolis.

GENTLEMEN, I am hereby respectfully informed that I offer myself a candidate for your votes at the ensuing election of sheriff. I trust that you will continue to support that you generously merit at the late election, in consequence of which I am now in the office, the gentleman returned first on the then poll having undertaken it, gentlemen, under circumstances of considerable difficulty, and myself that my endeavours to give satisfaction have not been altogether unavailing. Continue to me your voice and support, and depend upon every exertion shall be made to discharge the duties of the office with fidelity and every degree of justice, that shall comport with justice. I am, Gentlemen, Very respectfully, Your obedient servant, SOLOMON GROVES.

July 7, 1812.

State of Maryland, scf.

Application, by petition, of Jason Conaway, administrator with the will annexed of Margaret Conaway, late of Anne-Arundel county, deceased, it is ordered that he give the notice required by law, to the creditors to bring in their claims against the said deceased, and that the same be published once in each week for the space of six successive weeks in the Maryland Gazette.

JOHN GASSAWAY, Reg. Wills for A. A. County.

This is to give Notice,

that the subscriber, of Anne-Arundel county, hath obtained from the orphan's court of Anne-Arundel county, in Maryland, letters of administration with the will annexed on the personal estate of Margaret Conaway, late of Anne-Arundel county, deceased. All persons having claims against the said deceased, are hereby notified to exhibit the same, with the vouchers thereof, to the subscriber, on or before the eleventh day of August next, they otherwise by law be excluded from the benefit of the said estate.

Given under my hand this 5th day of July, 1812.

JASON JONES, Admr. W. A.

For Sale,

A CHAISE WITH HARNESS, and a SLO CHAIR, without harness. Apply to RICHARD B. WATTS.

April 6, 1812.

ANNAPOLIS:

PRINTED BY JONAS GREEN.

Price—Two Dollars per Annum.