MARYLAND GAZETTE.

LXVIth YEAR.] *WEDNESDAY, MAY 30, 1810.* [No. 3307.]

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APOLIS, WEDNESDAY, MAY 30, 1810.

From the National Intelligencer.

ract of a letter from William Pinkney, Esq. to Smith, Esq. Secretary of State, dated London, arch 21, 1810.

On the 27th of November, Mr Brownell de-ed to me your letters of the 11th, 14th and of the preceding month, and on the Saturday wing I had a conference with the Marquis lesley, in the course of which I explained to fully the grounds upon which I was instructed quest Mr. Jackson's immediate recall, and up-hich the official intercourse between that mi-r and the American government had been sus-ed.

ord Wellesley's reception of what I said to was frank and friendly; and I left him with rsuasion that we should have no cause to be tisfied with the final course of his government he subjects of our conference.

'e agreed in opinion that this interview could be introductory to a more formal proceeding y part; and it was accordingly settled between at I should present an official letter, to the ef-of my verbal communication

aving prepared such a letter, I carried it myself Downing-street, a few days afterwards, and ac-panied the delivery of it to lord Wellesley with e explanatory observations, with which it is I presume necessary to trouble you. You will a copy of this letter enclosed, and will be able ollect from it the substance of the greater part he statements and remarks which I thought it duty to make in the conversation above menti-d.

A copy of the answer, received on the day of date, is enclosed"

[COPY.]

Great Cumberland Place, 2d January, 1810.

MY LORD,

In the course of the official correspondence, which s lately taken place between the Secretary of te of the United States, and Mr. Jackson, his jesty's envoy extraordinary and minister plenipo-tentiary at Washington, it has unfortunately hap-ned that Mr Jackson has made it necessary that hould receive the commands of the president to nest his recall, and that in the mean-time the in-course between that minister and the American vernment should be suspended.

I am quite sure, my lord, that I shall best con-t your lordship's wishes, and the respect which I e to his majesty's government, by executing my ty on this occasion with perfect simplicity and nkness. My instructions, too, point to that urse as required by the honour of the two govern-ents, and as suited to the confidence which the sident entertains in the disposition of his majes-'s government to view in its true light the subject which they relate. With such inducements exclude from this communication every thing hich is not intimately connected with its pur-se, and, on the other hand, to set forth with ndour and explicitness the facts and considerati s which really belong to the case, I should be un-rdonable if I fatigued your lordship with unne-ssary details, or affected any reserve.

It is known to your lordship that Mr. Jackson rived in America, as the successor of Mr. Er-kine, while the disappointment produced by the isavowal of the arrangement of the 19th of April as yet recent, and while some other causes of ssatisfaction which had been made to associate emselves with that disappointment, were in ope-ation. But your lordship also knows that his re-eption by the American government was marked y all that kindness and respect which were due to e representative of a sovereign with whom the U. States were sincerely desirous of maintaining e most friendly relations.

Whatever were the hopes, which Mr. Jackson's ission had inspired, of satisfactory explanations rd adjustments upon the prominent points of dif-rence between the two countries, they certainly ere not much encouraged by the conferences, in hich, as far as he thought proper, he opened to Mr. Smith, soon after his arrival, the nature and xtent of his powers and the views of his govern-ent.—After an experiment, deemed by the go-ernment of the United States to be sufficient, it ppeared that these conferences, necessarily liable o misconception and want of precision, were not likely to lead to any practical conclusion.

Accordingly on the 9th of October, Mr. Smith addressed a letter to Mr. Jackson, in which, after stating the course of proceeding which the Ameri-can government had supposed itself entitled to ex-pect from him, with regard to the rejected arrange-ment and the matters embraced by it, and af-ter recapitulating what Mr. Smith believed to have passed in their recent interviews relative to those subjects, he intimated that it was thought expedient that their further discussions, on that par-ticular occasion, should be in writing

It is evident, my lord, from Mr. Jackson's re-ply on the 11th of the same month, that he re-ceived this intimation (which, carefully restricted as it was, he seems to have been willing to under-stand in a general sense) with considerable sensi-bility. He speaks of it in that reply as being without example in the annals of diplomacy; as a step against which it was fit to enter his protest; as a violation in his person of the most essential rights of a public minister; as a new difficulty thrown in the way of a restoration of a thorough good understanding between the two countries

I need not remark to your lordship that nothing of all this could with propriety be said of a pro-ceeding, in itself entirely regular and usual, required by the state of the discussions to which only it was to be applied, and proposed in a manner perfectly decorous and unexceptionable The government of the United States had expected from Mr. Jack-son an explanation of the grounds of the refusal on the part of his government to abide by Mr Erskine's arrangement, accompanied by a substitu-tion of other propositions It had been collected from Mr Jackson's conversations that he had no power whatsoever to give any such explanation; or, in the business of the orders in council, to offer any substitute for the rejected agreement; or, in the affair of the Chesapeake, to offer any substitute that could be accepted; and it had been inferred, from the same conversations, that, even if the A-merican government should propose a substitute for that part of the disavowed adjustment, which re-garded the orders in council, the substitute could not be agreed to (if indeed Mr Jackson had pow-er to do more than discuss it) unless it should dis-tinctly recognize conditions which had already been declared to be wholly inadmissible. To what valua-ble end, my lord, loose conversations, having in view either no definite result, or none that was at-tainable, could under such circumstances and upon such topics, be continued, it would not be easy to discover; and I think I may venture to assume that the subsequent written correspondence has com-pletely shewn that they could not have been other-wise than fruitless; and that they were not too soon abandoned for that more formal course, to which from the beginning they could only be con-sidered as preparatory

After remonstrating against the wish of the A-merican government to give to the further discussi-ons a written form, Mr Jackson disposes himself to conform to it; and speaking in the same letter of the disavowal of the arrangement of April, he declares, that he was not provided with instructions to explain the motives of it; and he seems to inti-mate that explanation through him was unnecessa-ry, not only because it had already been made thro' other channels, but because the government of the U. S. had entered into the arrangement with a knowledge "that it *could only* lead to the conse-quences that actually followed" In the conclusion of the fourth paragraph of the letter he informs Mr. Smith, that the dispatch of Mr Canning to Mr. Erskine, "which Mr Smith had made the basis of an official correspondence with the latter minister, and which had been read to the Ameri-can minister in London," was the only dispatch, by which the conditions were prescribed to Mr Erskine for the conclusion of an arrangement with the United States on the matter to which it re-lated.

Mr. Smith's answer to this letter bears date the 19th of October; and I beg your lordship's permis-sion to introduce from it the following quotation: "The stress you have laid on what you have been pleased to state as the substitution of the terms fi-nally agreed on" (in the arrangement of April on the orders in council) "for the terms first proposed" (by Mr Erskine) "has excited no small degree of surprise.—Certain it is, that your predecessor did present for my consideration the same conditions which now appear in the present document—that he was disposed to urge them more than the nature of two of them (both palpably inadmissible, and one more than merely inadmissible) could permit—and that on finding his first proposal unsuccessful, the more reasonable terms, comprised in the arrange-ment respecting the orders in council, were adopted. And what is there in this to countenance the con-clusion you have drawn in favour of the right of his Britannic majesty to disavow the proceeding? Is any thing more common in public negotiations, than to begin with a higher demand, and that fail-ing to descend to a lower? To have, if not two sets of instructions, two or more than two grades of propositions in the same set of instructions; to begin with what is the most desirable, and to end with what is found to be admissible, in case the more desirable should not be attainable? This must be obvious to every understanding, and is confirm-de by universal experience

"What are the real and entire instructions given to your predecessor, is a question essentially between him and his government That he had, or at least that he believed he had, sufficient authority to con-clude the arrangement, his formal assurances during our discussions were such as to leave no room for doubt. His subsequent letter of the 15th of June, renewing his assurance to me, "that the terms of the agreement so happily concluded by the recent negotiation, will be strictly fulfilled on the part of his majesty," is an evident indication of what his persuasion then was as to his instructions. And with a view to show what his impressions have been even since the disavowal, I must take the li-berty, of referring you to the annexed extracts (see C) from his official letters of the 31st of July and of the 14th of August.

"The declaration that the dispatch from Mr. Canning to Mr Erskine of the 23d of Jan. is the only dispatch by which the conditions were pre-scribed Mr. Erskine for the conclusion of an ar-rangement on the matter to which it relates, is now for the first time made to this government And I need hardly add, that if that dispatch had been communicated at the time of the arrangement, or if it had been known that the propositions con-tained it, and which were at first presented by Mr. Erskine, were the only ones on which he was au-thorised to make an arrangement, the arrange-ment would not have been made."

I suppose, my lord, that it was impossible to dis-claim for the American government, in more pre-cise and intelligible language than is found in this quotation, all knowledge of Mr Erskine's instruc-tions incompatible with a sincere, honourable and justifiable belief that he was, as he professed to be, fully authorised to make the agreement in which he undertook to pledge the faith of his majesty's go-vernment. Yet in Mr. Jackson's next letter (of the 23d Oct.) to Mr. Smith he says, "I have therefore no hesitation in informing you that his majesty was pleased to disavow the agreement, concluded between you and Mr. Erskine, because it was in violation of that gentleman's instructions, and al-together without authority to subscribe to the terms of it. These instructions I now understand, by your letter, as well as from the obvious deduc-tions which I took the liberty of making in mine of the 11th instant, were at the time in substance made known to you. No stronger illustration there-fore can be given of the deviation from them which occurred, than by a reference to the terms of your agreement."

Your lordship will allow me to take for granted, that this passage cannot be misunderstood. Its di-rect and evident tendency is to fasten upon the go-vernment of the United States an imputation most injurious to its honour and veracity. The charge, that it had all along been substantially apprized, however it might affect to be ignorant, of the in-structions which Mr Erskine's arrangement was said to have violated, had before been insinuated; but it is here openly made, in reply too, to a pa-per, in which the contrary is formally declared by the official organ of the American government.

This harsh accusation, enhanced by the tone of the letter in which it appeared, was in all respects as extraordinary as it was offensive It took the shape of an inference from facts and asseverations which necessarily led to the opposite conclusion It was preferred as an answer to a claim of expla-nation, which Mr. Jackson professed not to be au-thorised by his government to offer at all, but which he chose so to offer from himself as to con-vert explanation into insult It was advanced, not only without proof, and against proof, but against all colour of probability. It could scarcely have been advanced under any conviction, that it was necessary to the case which Mr Jackson was to maintain; for his majesty's government had disa-vowed Mr. Erskine's arrangement, according to Mr. Jackson's own presentation, without any re-ference to the knowledge which this accusation imputed to the government of the United States; and it need not be stated, that no allusion whate-ver was made to it by Mr Secretary Canning, in those informal communications to him, which Mr Jackson has mentioned. It was not, moreover, to have been expected, that in the apparent state of Mr. Jackson's powers, and in the adjustment re-of his negotiation, he would seek to irritate where he could not arrange, and sharpen disappointment by studied and unprovoked indignity

The course which the government of the U. S adopted on this painful occasion, was such as at once demonstrated a sincere respect for the public character with which Mr. Jackson was invested, and a due sense of its own dignity Mr. Jackson's conduct had left a feeble hope that further intercourse with him, unproductive of good as it must be, might still be reconcileable with the honour of the Ame-rican government A fair opportunity was accord-ingly presented to him of making it so, by Mr. Smith's letter of the 1st of Nov of which I beg leave to insert the concluding paragraph

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

Whatever was the sense in which Mr Jackson had used the expressions to which the American go-vernment took exception, he was now aware of the sense in which they were understood; and, conse-quently, was called upon, if he had been misappre-hended, to say so. His expressions conveyed an injurious meaning, supported moreover by the con-text; and the notice taken of them had not exceed-ed the bounds of just admonition. To have ex-plained away even an imaginary affront, would have been no degradation; but when an occasion was thus offered to qualify real and severe imputa-tions upon the government to which he was ac-credited, it could scarcely be otherwise than a du-ty to take immediate advantage of it

Such, however, was not Mr Jackson's opinion He preferred answering the appeal which had been made to him by reiterating with aggravations the offensive insinuation He says in the last paragraph of his letter of the 4th of Nov to Mr Smith—"You will find, that in my correspondence with you, I have carefully avoided drawing conclusions *that did not necessarily follow from the premises ad-vanced by me; and least of all* should I think of uttering an insinuation where I was unable to sub-stantiate a *fact* To facts, such as I have become acquainted with them, I have scrupulously adhered. *In so doing, I must continue*, whenever the good faith of his majesty's government is called in question, to vindicate its honour and dignity, in the manner that appears to me best calculated for that purpose."

To this, my lord, there could be but one reply. Official intercourse with Mr. Jackson could no lon-ger be productive of any effects than were not ra-ther to be avoided than desired; and it was plain-ly impossible that it should continue. He was, therefore, informed by Mr. Smith, in a letter of the 8th of Nov. which recapitulated the induce-ments to this unavoidable step that no further com-munications would be received from him; that the necessity of this determination would without delay be made known to his government; and that in the mean-time a ready attention would be given to any communication, affecting the interests of the two nations through any other channel that might be substituted

The president has been pleased to direct that I should make known this necessity to his majesty's government, and at the same time request that Mr Jackson be recalled. And I am particularly in-structed to do this in a manner that will leave no doubt of the undiminished desire of the U. States to unite in all the means the best calculated to es-tablish the relations of the two countries on the so-lid foundations of justice, of friendship and of mu-tual interest. I am further particularly instructed, my lord, to make his majesty's government sensible, that in requiring the recall of Mr. Jackson, the U. States wish not to be understood as in any degree obstructing communications which may lead to a friendly accommodation, but that, on the contrary they sincerely retain the desire, which they have constantly professed, to facilitate so happy an event, and that nothing will be more agreeable to them than to find the minister, who has rendered him-self so justly obnoxious, replaced by another, who with a different character, may carry with him all the authorities and instructions requisite for the complete success of his mission, or, if the attain-ment of this object through my agency should be considered more expeditious, or otherwise prefera-ble, that it will be a course entirely satisfactory to the U States

These instructions, which I lay before your lord-ship without disguise, require no comment.

Before I conclude this letter it may be proper ve-ry shortly to advert to two communications, re-ceived by Mr secretary Smith from Mr. Oakley after the correspondence with Mr. Jackson had ceased

The first of these communications (of which I am not able to ascertain the date) requested a do-cument, having the effect of a special passport, or safeguard, for Mr. Jackson and his family, during their further stay in the U States. This applica-tion was regarded as somewhat singular, but the document of which the necessity was not perceived, was nevertheless furnished The reasons assigned for the application excited some surprise. I have troubled your lordship, in conversation, with a few remarks, from my instructions, upon one of those reasons, which I will take the liberty to repeat. The paper in question states that Mr. Jackson "had already been once most grossly insulted by the inhabitants of Hampton, in the unprovoked language of a knife held by them to several officers wearing the king's uniform, when those officers were themselves violently assaulted and put in im-minent danger."

I am given to understand, my lord, that the in-sult, here alluded to, was for the first time brought under the notice of the American government by this paper; that it had, indeed, been among the rumours of the day that some unbecoming scene had taken place at Hampton or Norfolk, between some officers belonging to the Africaine frigate and some of the inhabitants, and that it took its rise in the indis-cretion of the former; that no attention to the cir-cumstance having been called for, and no inquiry having been made the truth of the case is unknown, but that it was never supposed that Mr. Jackson himself, who was on board the frigate, had been personally insulted, nor is yet understood in what way he supposes that he was so. I am authorised to add, that any complaint or representation on the subject would instantly have received every pro-per attention.

The other communications (of which the sub-stance was soon afterwards published to the Ame-rican people in the form of a circular letter from Mr. Jackson to the British consuls in the U States) seems to have been intended as a justification of his conduct in that part of his correspondence, which had given umbrage to the American govern-ment This paper, bearing date the 13th of Nov.) is not very explicit; but it would appear to be calculated to give rather a new form to the state-ments, which Mr. Jackson had suffered the govern-ment of the U. States to view in another light, until it had no choice but to act upon the obvious and natural interpretation of them sanctioned by himself

It was never objected to Mr. Jackson (as this paper seems to suggest) that he had stated that the three propositions, in Mr Erskine's original in-structions were submitted to Mr. Smith, by that gentleman; or that he had stated it as made known to him by Mr Canning, that the instructi-on to Mr Erskine, containing those three conditi-ons, was the only one from which his authority was derived for the conclusion of an arrangement on the matter to which it related.

The objection was, that he had ascribed to the A-merican government a knowledge, that the propo-sitions submitted to its consideration by Mr Er-skine, were indispensable conditions; and that he did so, even after that knowledge had been dis-tinctly disclaimed, and he had been made to perceive that a repetition of the allegation could not be suf-fered I willingly leave your lordship to judge, whether Mr Jackson's correspondence will bear any other construction than it in fact received; and whether supposing it to have been erroneously construed, his letter of the 4th of Nov should not have corrected the mistake, instead of confirming and establishing it

As an *explanation* this paper was even worse than nothing—It had not the appearance of an at-tempt to rectify misapprehension. It sought to put the American government in the wrong, by assuming that what had given so much umbrage ought not to have given any It imported reproach, rather than explanation It kept out of sight the real offence, and, introducing a new and insufficient one in its place, seemed to disclose no other wish than to withdraw from the government of the U. States the ground upon which it had proceeded. Its apparent purpose, in a word, was to fix a charge of injustice upon the past, not to produce a beneficial effect upon the future. In this view, & in this only, it was perfectly consistent that it should announce Mr Jackson's determination to retire to New-York.

The time when this paper was presented will not have escaped your lordship's observations It followed the demand, already mentioned, of a safe-guard for "Mr. Jackson, his family, and the gen-tlemen attached to his mission;" a demand which cannot be regarded, especially if we look to the inducements to which it was referred, as either conciliatory or respectful. It followed, too, the letter of the 4th of Nov. which, had explanation been intended, ought undoubtedly to have contain-ed it, but which in lieu of it, contained fresh mat-ter of provocation. It was itself followed by the publication of its own substance in another garb. On the very day of its date, when Mr Jackson, if he meant it as an explanation, could not be justified