

# MARYLAND GAZETTE.

THURSDAY, JUNE 11, 1812.

[No. 3413.]

[LXVIIIth YEAR.]

## MARYLAND GAZETTE.

ANNAPOLIS, THURSDAY, JUNE 11, 1812.

(Documents continued.)  
LETTERS FROM MR. BARLOW TO THE SECRETARY OF STATE.  
(No. 1.)

Extract of a letter from Mr. Barlow to the Secretary of State, dated Paris, Sept. 29, 1811.

I seize the first occasion to announce to you my arrival, though I have very little else to announce.

I landed at Cherbourg the 8th of this month and arrived at Paris the 19th.

The emperor has been residing for some time at Compeigne, and it unluckily happened that he set out thence for the coast and for Holland the day of my arrival here.

The duke of Bassano, minister for foreign relations, came the next day to Paris for two days only, when he was to follow the emperor to join him in Holland. Gen. Terreau, and others who called on me the morning after I reached Paris, assured me that the duke was desirous of seeing me as soon as possible and with as little ceremony.

On the 21st I made my first visit to him, which of course had no other object than that of delivering my credentials. I expressed my regret at the emperor's absence, & the consequent delay of such business, as was rendered particularly urgent by the necessity of sending home the frigate and by the approaching session of congress, as well as by the distressed situation of those American citizens who were waiting the result of decisions which might be hastened by the expostitions which I was charged to make on the part of the President of the U. States.

He said the emperor had foreseen the urgency of the case and had charged him to remedy the evil so far as could be done by dispensing with my presentation to his majesty until his return; and that I might immediately proceed to business as if I had been presented. He said the most flattering things from the emperor relative to my appointment. He observed that his majesty had expected my arrival with some solicitude for several months and was disposed to do every thing that I could reasonably ask to maintain a good intelligence between the two countries.

The duke then proposed a second interview for the next day, which he said he hoped would be long and leisurely, that we might go over the whole range of business that was likely to come into discussion between us, declaring that he should be justified by the emperor in delaying his journey one day for that purpose only, and that he had no other business to detain him in the capital. I accepted the invitation and was with him two hours the next day.

I explained to him with as much precision as possible the sentiments of the President on the most pressing objects of my mission, and threw in such observations as seemed to arise out of what I conceived to be the true interest of France.

He heard me with patience and apparent solicitude, endeavoured to explain away some of the evils of which we complain, and expressed a strong desire to remove the rest. He said that many of the ideas I suggested were new to him and were very important; that he should lay them before the emperor with fidelity, and in a manner calculated to produce the most favorable impression, desired me to reduce them to writing to be presented in a more solemn form, and endeavoured to convince me that he doubted not our being able, on the return of the emperor, to remove all obstacles to a most perfect harmony between the two countries.

(No. 2.)  
Extract of a letter from Mr. Barlow to the Secretary of State, dated Paris, Oct. 29, 1811.

The emperor stays in the north much longer than was expected. Having been assured by the minister that he would return by the 15th of Oct. and that during his tour he would make no stay in any one place, I concluded, as I had the honor to state to you before, not to follow him. The frigate Constitution did not return from Holland until about the time that the emperor was to have reached Fontainebleau, and during the last fourteen days the public has been in constant expectation of his arrival.

As the minister of Foreign Relations and indeed most of the other ministers are with him, it has not been in my power to bring forward to advantage any propositions on the great objects of my mission. For I was convinced, for reasons mentioned in my first dispatch, that these objects can be treated to the best advantage in presence, when frequent conversations can be mingled with formal and official notes.

My correspondence with the minister therefore has been hitherto confined to incidental matters not worth troubling you with.

It is now so fully believed that the emperor will be here about the 10th of November and it seems so important that something of a decisive nature should be communicated to you by the frigate, that it is thought best by capt. Hull as well as myself that she should first go over to Cowes with Mr. Ruffel and return to Cherbourg for my dispatches for you.

(No. 3.)  
Extract of a letter from Mr. Barlow to the Secretary of State, dated Paris, Nov. 21, 1811.

"On the 9th of this month the duke of Bassano arrived in Paris, & signified his arrival by a circular to the foreign ministers here. The next day, at one o'clock, I called at his house, having in my pocket the note dated 10th Nov.

My intention was, if possible to have an interview with him before he should read the note, to prepare his mind on some points which, being new to him, might be susceptible of further development than it would be convenient to give in writing.

"Not finding the duke at home, I left the note, inclosing with it a written request for an interview after he should have read the note. As yet I have no answer, but having met him once since, he assured me that a very great press of business occupied him every day at St. Cloud. He gave me no other reason for the delay thus far, and I have learnt thro' other channels, that they are discussing in the emperor's councils of commerce and of state, the principal points in my note. If this discussion is in good earnest, I shall probably have an answer, of some sort, before many days.

(Enclosed in No. 3.)  
Mr. Barlow to the Duke of Bassano.  
Extract of a letter from Mr. Barlow to the Duke of Bassano.  
PARIS, 10th Nov. 1811.

"For all these considerations and others which I have had the honor to explain to your excellency in conversation, I am confident that I shall urge nothing contrary to the true interests of France, when I propose that his majesty the emperor and king should order a prompt and effectual execution of the arrangement of the 5th of August and 2d of Nov. in the true and liberal spirit in which it was proposed, so that the privations which the United States imposed upon themselves, by excluding the productions of Great Britain and her dependencies, should as far as circumstances will allow, be compensated by a free access to those of the continent of Europe and that they may carry thither such means of purchasing those productions as their own soil and industry and those of other neutral nations, and those of the French colonies will furnish."

"Should his Majesty adopt this principle, the means of arriving at the end are so obvious that it will not greatly add to the length of this note, if I here point them out. First, let the American ships and cargoes now under seizure, captures or sequestration, and the proceeds of such as have been sold, which are now reserved for the party having right, be immediately restored to their owners, and they declared free to depart therewith for their country. This article is not intended to embrace any thing but genuine American property as protected by the acknowledged law of nations."

"Second, Such property acknowledged to be American, as has been confiscated and no longer in a state to be restored, will remain to be paid for in some manner the least onerous to the French Treasury, to be determined on by a separate convention."

"Third, A signification of his majesty's pleasure, if such it be, to form a new commercial treaty with the United States on principles of reciprocity both with respect to the rate of duties (as far as the difference in nature of the objects of our mutual commerce will permit) and the facility of buying and selling, entering and departing with such articles as shall be agreed on, the produce of their respective countries, territories and dependencies."

"One principal reason why a system of this kind has been deferred so long, has doubtless been the difficulty of distinguishing American from English property, & of ascertaining the origin of produce. We regret as much as you can the frauds that have been committed in this respect; our honor as well as interest, is concerned in suppressing them. We are ready to enact and inflict penalties, & agree with the French government on the marks, seals and other measures most proper to attain the end."

"I beg your excellency not to consider it improper or indiscreet in me to close this note

by suggesting a cogent reason for desiring as speedy an answer to the principal propositions as the other weighty concerns of your department will admit. The frigate which brought me to France is detained only for this answer. Congress is now beginning its session, and the President will be anxious to lay before it as early as possible the result of these propositions; and it has happened unluckily that my arrival here at the moment of the emperor's departure has already occasioned considerable loss of time."

(No. 4.)  
MR. BARLOW TO THE SECRETARY OF STATE.  
Extract of a letter from Mr. Barlow to the Secretary of State.

PARIS, 19th Dec. 1811.

"Since the date of my last (21st November) I have had many interviews with the minister of foreign relations. I have explained several points and urged every argument for as speedy an answer to my note of the 10th as its very serious importance would allow. He always treats the subject with apparent candour and solicitude, seems anxious to gain information, declares that neither he nor the emperor, had before understood American affairs in the light in which they now appear, and always assures me that he is nearly ready with his answer.

"But he says the emperor's taking so long a time to consider it, and make up his decision, is not without reason, for it opens a wide field for meditation on very interesting matters. He says the emperor has read the note repeatedly and with great attention, that he told him the reasoning in it was every where just and the conclusions undeniable; but to reconcile its principles with the continental system presented difficulties not easy to remove.

"From what the emperor told me himself at the last diplomatic audience, and from a variety of hints and other circumstances remarked among the people about his persons I have been made to believe that he is really changing his system relative to our trade, and that the answer to my note will be more satisfactory than I had at first expected. But the unexpected and unreasonable delay has almost discouraged me of late.

"I am extremely anxious to dispatch the frigate, and had I imagined the delay would have been so great, I would not have ordered her to return after landing Mr. Ruffel in England. There is however a kind of consolation thus far; the captain writes me that had she been ready to sail three weeks ago, the weather has been such ever since that she could not have left this port by this time.

"I hope and am pretty certain now that I shall dispatch the messenger, Mr. Morris, in five or six days at latest.

"I send this by a Mr. Odin of Boston by way of England. I have given him a passport as bearer of dispatches, and he goes by Morlaix without expense to the United States."

(No. 5.)  
Extract of a letter from Mr. Barlow to the Secretary of State.

PARIS, Dec. 31, 1811.  
"I have now the honor to send you the answer of the duke of Bassano to my note of the 10th of November, accompanied by a triplicate copy of that note.

"This answer, if understood in its most liberal sense, may doubtless be considered full and satisfactory as a basis for the future commercial relations between the two countries; mercantile relations between the two countries; for we can ask nothing better than a perfect reciprocity of advantages in those relations. But although an official declaration of the emperor's intention and readiness to conclude a treaty on such principles, may be fairly taken as an adoption of the principles; yet considering the irritation of the public mind in the U. States, arising from recent injuries, and the difficulty with which it can be brought to believe in a change of system, so suddenly adopted and so vaguely announced, I thought it best to obtain, if possible, a more precise declaration as to certain points which had created so much difficulty.

"Accordingly I asked an interview with the duke for the 28th. I went to him on that day with a paper in my hand, of which I here enclose a translation.

"My intention was to induce him to sign that paper, or the principles it contained, either in its present form or such other form as he might deem more consonant with the dignity of his government, such as putting them into the answer of a letter which I might write to him, if he should think that the most eligible method.

"After we had read over the paper together, and I had explained the motives of my proposition, he replied that every one of those principles was adopted by the emperor and would enter into the treaty, and therefore it

would be useless to announce them in a separate declaration. I endeavoured to convince him of the advantages that would result to France as well as to the U. S. from an immediate restoration of confidence among the American merchants. The great want of flour in France as well as Spain, and the accumulation of French produce perishing on hand for want of foreign commerce, were sufficient reasons for seizing the first occasion not inconsistent with the emperor's general system, for giving activity to neutral capital in the ports of the empire.

"He then copied the heads of my paper and said he would lay the proposition before the emperor, and give me an answer the next day. I did not however get this answer till last night. He then invited me to an interview, and after reading over the paper as before, and commenting on every clause, he declared the emperor's decision precisely to the following effect; "It is not proper for me to sign this declaration; but you may notify it to your government; word for word, as if it were signed, for the principles are all adopted, and from this day forward they will be in operation. I have given the order to the chief of the customs for what concerns his department; the court of prizes is ordered to expedite its part of the business, and I shall instruct the consuls to give the certificates of origin. But you will observe this regards only the produce of the United States. Colonial produce cannot for the present be admitted, even in a French vessel, on a simple certificate of origin, without a special licence."

"I then desired him to cause one more order to be given from the proper department, to the effect of repressing the rapacity of privateers. The emperor owed it to his own dignity to order his courts to subject, at least, to cost and damages, the owners of such privateers as should capture innocent ships without a pretext, a business that was long known to be carried on, as well it might be, under the present system of certain impunity, with the sure prospect of a great deal of partial plunder, and the hope of an advantageous compromise with the claimants. He acknowledged that something ought to be done in the case.

"His observation on colonial produce, induced me to bring up again the subject of special licences, repeating what I had often stated before the just objection that the president had instructed me to insist upon against that system. He said that if the president desired it, it should be discontinued; but they had not yet been able to find a substitute. He declared to me, as he has often done before, that the emperor would do any thing on this subject that should be most agreeable to the U. S. provided it did not open a door to the introduction of English produce.

"He always insists upon it that the special licences are a clear advantage, as far as they go, to the commerce and navigation of the U. S. The system is an extension of favour to them inasmuch as it relaxes the principle of the French navigation act, which confines the carrying trade of the colonies to French ships.

"He added that the emperor did not pretend that this was out of pure friendship to the Americans. "We have need of coffee and sugar. We can get our supply in this way, but if you can point out another that shall be more agreeable to the president, without giving us the produce of English colonies, we shall adopt it."

"Thus I think, Sir, you have the whole idea before you. And I should be glad to receive your further instructions on the subject.

"Should it be the intention of the president that I should proceed in the treaty of commerce, it will be necessary likewise to give me instructions as precise as may be on all the essential points that you wish to enter into it."

(Enclosed in No. 5.)  
Translation of a letter from the Duke of Bassano to Mr. Barlow, dated Paris, 27th Dec. 1811.

The undersigned minister of foreign relations, has laid before his majesty, the emperor and king, the note which Mr. Barlow, minister plenipotentiary of the U. S. of America addressed to him on the 10th of last month.

If since the revocation of the decrees of Berlin and Milan, the commerce between France and the U. S. has had but little activity, the cause must be sought for in the outrages which the British government has exercised against the flag of the U. S. and against the French flag, and in the cruises (craux) which it has established on the coast of France and on those of America.

of having exercised the rights of feeling, but justice to my observations on this subject; without a further admonition to Republicanism. He is a young man of honor that must result from his age. He is ambitious and forward, unbidden, to attack me. I admire the nobleness of his character; but it is up the subject; like himself it is public, and even his immediate exertions. With most of them I highly respect as fellow-citizens of my country, that they were for my sake. Indeed I have been with their marked disapprobation otherwise, with those that liberality of sentiment. The Peggy Stewart and Tea Point of view, and having no public gain, I shall now drop understood, I fear not to meet any resistance against my character. I always ready to resist aggression shall touch me with impunity, in his base and false Editor of the in his own unprovoked attack continue all further remarks upon character is by no means advanced is attended with no honor—

James Williams.