

and you have said, sir, that the decree of the 23rd of April, 1811, which proves definitively the revocation of the decrees of Berlin and Milan in regard to the Americans, was not known to you.

I have the honor to send you as you have desired a copy of these three acts, you will consider them without doubt, sir, as the plainest answer, which I could give to this part of your note. As to the two other questions to which that note relates I will take care to lay them before the Emperor. You know already, sir, the sentiments which his majesty has expressed in favor of American commerce, and the good dispositions which have induced him to appoint a plenipotentiary to treat with you on that important interest.

Accept, sir, &c.

(Signed)

THE DUKE OF BASSANO.

[TRANSLATION.]

Palace of St. Cloud,
April 28th, 1812.

Napoleon, Emperor of the French &c. &c. On the report of our Minister of Foreign Relations.

Seeing by a law passed on the 21 March, 1811, the Congress of the United States has ordered the execution of the provisions of the act of non-intercourse, which prohibits the vessels and merchandise of G. Britain, her colonies and dependencies from entering into the ports of the U. States.

Considering that the said law is an act of resistance to the arbitrary pretensions, consecrated by the British Orders in Council, and a formal refusal to adhere to a system invading the independence of neutral powers, and of their flag, we have decreed, and do decree as follows:

The decrees of Berlin and Milan are definitively, and to date from the 1st day of November last, considered as not having existed, (non-avenus) in regard to American vessels.

(Signed)

NAPOLEON.

By the Emperor,
The Minister, Secretary of State,
(Signed)
THE COUNT DARU.

(B.)

Mr. Barlow to the Secretary of State.

Paris, Oct. 28, 1812.

SIR—By the letters from the duke of Bassano and my answer, copies of which are herewith enclosed, you will learn that I am invited to go to Wilna, and that I have accepted the invitation. Though the proposal was totally unexpected, and on many accounts disagreeable, it was impossible to refuse it without giving offence, or at least risking a postponement of a negotiation which I have reason to believe is now in a fair way to a speedy and advantageous close.

From the circumstances which have proceeded and which accompany this proposition, I am induced to believe that it is made with a view of expediting the business. There may indeed be an intention of coupling it with other views not yet brought forward. If so, and they should extend to objects beyond the simplicity of our commercial interests and the indemnities which we claim, I shall not be at a loss how to answer them.

I shall have the honor to write you as soon as possible from Wilna, and shall return to Paris without any unnecessary delay.

I remain, &c.

(Signed)

J. BARLOW.

[TRANSLATION.]

The Duke of Bassano to Mr. Barlow.
WILNA, OCT. 13.

SIR—I have had the honor to make known to you how much I regretted in the negotiation commenced between the U. States and France the delays which inevitably attended a correspondence carried on at so great a distance. Your government has desired to see the epoch of this arrangement draw near. His majesty is animated by the same dispositions, and willing to assure to the negotiation a result the most prompt, he has thought that it would be expedient to suppress the intermediaries and to transfer the conference to Wilna. His majesty has in consequence authorized me, sir, to treat directly with you. If you will come to this town, I dare hope that with the desire which animates us both to conciliate such important interests, we will immediately be enabled to remove all the difficulties which until now have appeared to impede the progress of the negotiation.

I have apprized the Duke of Dalberg that his mission was thus terminated & I have laid before his majesty the actual state of the negotiation, to the end that when you arrive at Wilna the different questions being already illustrated (*claircis*) either by your judicious observations, or by the instructions I shall have received. We may, sir, conclude without delay an arrangement so desirable and conformable to the mutually amicable views of our two governments.

Accept, sir, &c.

(Signed)
THE DUKE OF BASSANO.

Mr. Barlow to the Duke of Bassano.

(Extract.)

Paris, Oct. 25, 1812.

"SIR—In consequence of the letter you did me the honor to write me on the 11th of this month, I accept your invitation, and leave Paris to-morrow for Wilna, where I hope to arrive in 15 or 18 days from this date. My Secretary of Legation and one servant will compose all my suite. I mention this to answer to your extreme goodness in asking the question, and your kind offer of finding me a convenient lodging. I hope the trouble you will give yourself in this will be as little as possible.

The negotiation on which you have done me the honor to invite me at Wilna, is so completely prepared in all its parts between the duke of Dalberg and myself, and, as I understand sent on to you for your approbation about the 18th of the present month, that I am persuaded, if it could have arrived before the date of your letter, the necessity of this meeting would not have existed, as I am confident that his majesty would have found the project reasonable and acceptable in all its parts, and would have ordered that minister to conclude and sign both the treaty of commerce and the convention of indemnities."

We are assured, that Mr. Crawford, one of the senators from Georgia, has been appointed to succeed Joel Barlow, as minister to France, should the latter be really dead.

[Frb. Rep.]

MARYLAND GAZETTE.

ANNAPOLIS, THURSDAY, MARCH 18.

The eyes of Administration opened.

It has long been known in this country, that not the least confidence could be placed in the French government; yet, from the blind impulse of credulity, our great political leaders have adopted a contrary opinion, and in spite of observation and experience have uniformly maintained it. Such has been the conduct of our government towards that of France, that it has given rise to numberless complaints, and never, until lately, have they had the magnanimity to acknowledge their confidence was misplaced. Instead of the sickly, fawning style, so often made use of in extenuating the infamy of that nation, the administration prints have assumed a bolder strain, and, in the language of invective, charge her with "duplicity."

This augurs well—For when once that undue partiality, which has been the source of all our national calamities, can be totally eradicated, and the injustice of France viewed through any other medium than violent party prejudice, we may entertain a hope that peace with England will be once more established, and that the prosperity of the country will revert to its accustomed channels. They begin to substitute reproach for adulation, and pronounce the tyrant, in an emphatic manner, the destroyer of human liberty, rather than a friend "to the liberty of the seas and the rights of man." What has produced this change, we do not know; nor are we anxious to learn, provided the country can be extricated from that thralldom of French politics in which she has been unfortunately so long entangled.

The sound of peace ought to be welcome to every ear, as it is the prelude of national prosperity and happiness. But such has been the spirit by which the destinies of this nation have for many years been controlled, and such the extraordinary conduct of the administration, that however earnestly a termination of this sanguinary war might be

desired, yet, from the very circumstances which have attended its prosecution, we have reason to believe that it will be continued until the president is compelled to relinquish it from necessity. Although the emperor of Russia may have offered to mediate between the two governments of America and G. Britain, yet such are the claims set up by the one, and the principles contended for by the other, that without some mutual concession all prospects of a reconciliation must be abandoned. The nature of the contest is now perfectly well understood. G. Britain assumes it as a right, guaranteed to her by the laws, and sanctioned by the general consent of nations, that she can at all times require the services of her subjects, and take them wherever found. If this principle were abandoned, she contends it would not only be jeopardizing her own security, but would be an instance of folly in the body politic, amounting to insanity. On the contrary, a claim is contended for by our government, unknown to any code of national jurisprudence, that subjects of G. Britain are released from the shackles of allegiance to their rightful sovereign the moment they step foot on our soil, or embark in any way into the American service. Here, then, the two governments are at issue; and unless Mr. Madison is at this time influenced by a more liberal spirit to compromise or negotiate upon this only remaining subject of dispute than he has heretofore been, we flatter ourselves with groundless hopes to expect that any propositions for peace, made by the Russian ambassador, will be acceded to. Proposals to the same effect were made on a former occasion, but were rejected no doubt with a view to afford the president an opportunity of discharging a volley of abusive epithets, which he had laid up in store for the enemy. Having enjoyed that satisfaction, the propositions of Mr. Dashkoff are now, for the first time, made known to the public. These may delude the nation for a while until the different elections have gone by, then it will be made known by a bulletin in the court Gazette, that they were of such a nature that, without degradation they could not have been accepted. So many tricks of this kind have been played off on the eve of important elections, that all confidence in the sincerity of administration has been destroyed, for we are obliged always to attach a double meaning to their professions. An opportunity is now offered Mr. Madison to show, whether he possesses in reality that amicable disposition of which he has so often boasted in his communications to congress, or not. If so, we might entertain some hopes for the restoration of peace: but when the former conduct of the cabinet is duly considered, it must be confessed that the prospects are by no means flattering.

It is said, that whilst Mr. Madison was reading his inaugural philippic, so conscious was he of the impropriety of his language, that he did not once raise his eyes from his paper to cast a glance upon the audience. His manner was a general subject of remark; for over his dark features was thrown that gloom of embarrassment which characterized his malignant feelings. It was apparent, that the storm of rage which gave birth to his late famous message to congress, had not subsided, and that his speech was a child of the same distempered mind.

For the Maryland Gazette.

It is important that the people of Maryland should correctly understand what aid is to be afforded to them in case of invasion, and what are the duties of the federal and state governments in the war in which we are engaged. This is the more necessary, because it is unquestionable, that that protection to which, by the nature of our compact, we are entitled, has not been afforded to us, and considerable censure deservedly attaches either to the state or federal executive. Many parts of our state are exposed to the incursions of the enemy, and considerable depredations may be committed at any moment, and with absolute impunity. Indeed, of a neglect of duty somewhere, even our democratic brethren are heard to complain; but as usu-

al they are disposed to blame the wrong persons, and instead of finding fault with their beloved Madison, would have us to believe that the fault is to be imputed to the state executive. Is this just? The constitution of the United States has given to the general government the power of declaring war and making peace, and has furnished them with ample powers for prosecuting war and giving protection to every part of the union, without the aid of the state governments. In the prosecution of the war, the states are allowed to have no participation, and the very means of engaging in it are withheld from them.

By the 10th section of the first article, a state must be "actually invaded, or in such imminent danger of invasion as will not admit of delay," before it can take any steps of a hostile nature; and lest the states should be disposed, notwithstanding this provision of the constitution, to engage in the war, the most important and valuable sources of revenue are granted exclusively to congress. From the perusal of this article of the constitution it will appear, that the executive of Maryland have not been guilty of any neglect of duty, whatever may have been said by some men who pretend to more wisdom than they really possess.

That we have not received the protection to which we are entitled, no person can deny; but let it be remembered, that this is the fault of our good president, and let those who think proper to complain of the want of protection, learn to place the blame upon the proper person.

The state may engage in the war when actually invaded, or in such imminent danger of invasion as will not admit of delay. In such an event the legislature has prescribed the course which is to be taken, and by whom the militia may be called out for the purpose of repelling the invaders. In case of the invasion of any part of the state, the militia is to be called out by the major-general, brigadier, &c. and information thereof is to be communicated to the commander in chief. (See 6th sec. of act of 1811.)

A CITIZEN.

For the Maryland Gazette.

When the executive of a brave and honest people descends to the level of a demagogue, and endeavours by inflaming the public mind, to mislead the public judgment, or is compelled to resort to vulgar electioneering tricks for the gratification of narrow and selfish purposes, his conduct becomes a fit subject for the operations of a "Censor Morum." Unhappily this evil more generally exists in free governments, and as it destroys virtue which is the soul or animating principle of republican constitutions, leaves nothing but an unwholesome carcass—a mere shadow—the substance being gone. Governments can be effectually destroyed only in two ways—by absolute violence, destroying both the spirit and forms of the constitution, or by a radical change of the spirit and character of the people on which those of the government depend, which is too often effected by the slow but certain arts of corruption. A free people have more to dread from the latter mode, because the mischief is done before they are fully aware of it—they themselves being made their own executioners. The facility of exercising oppression by the forms of law, when their spirit is perverted or destroyed, makes it desirable that they should be suffered to remain, in order to the accomplishment of such an iniquitous project. But openly and boldly to attempt to wrest from a free people their liberties, or to destroy the guarantee of their civil freedom, would bring down instant ruin on the head of the usurper, or at least would jeopardize his ill-gotten power. Hence criminal ambition, in most ages, and under most free governments, has trusted to the slow but fatal operations of corruption for the attainment of its ends. Most devoutly is it to be wished, that the spirit and character of the American people, which gave birth to the happiest form of government in the world, and which have hitherto preserved it, notwithstanding the novel and dangerous doctrines which have been broached within the last twenty years, may exist in their pristine purity and strength. Attempts will be made, as has, and ever will be the case, whilst human nature remains the same, to raise the fortunes of an individual, or some few individuals, on the ruins of public happiness and freedom. Too much cause have we to apprehend something dangerous and fatal to that spirit, which has hitherto animated and preserved our free institutions from the violence of party-passions. Truly has the father of his country told us, that it was the "worst enemy" of popular governments—

"That it opens the door to foreign influence and corruption, which find a facilitated access to the government itself, through the channels of party-passions." "That thus the policy and will of one country is subjected to the policy and will of another." Is it possible that a people naturally acute, and habitually jealous of every thing touching civil liberty, as the people of our country are, should not be able to discern the ruling motive and direct end of our cabinet? Can they be ignorant of the object of all those public communications, both to congress and the public,

which have filled the executive newspaper for the last two or three weeks? Do they not discern, in the face of them, a family likeness of the Machiavelian policy? Do they not see, that there is no measure which is not susceptible of a double construction, and that there is a cabinet-motive, as well as an ostensible one, for every act which has its origin with them? Have not the great purposes of legislation been narrowed and changed by the executive council being made the work-shop of laws, and the congress being "organized" and drilled into a band for their support and enactment. Is it not well known that the intriguing, artful, and double-dealing foreigner, who is one of the executive triumvirate, penned the law providing against the employment of foreign seamen in our service? Examine that law, and you will find a striking resemblance to its real parent. The ninth section strengthens the treaty-making power, and the other sections are, in effect, only a commitment of congress to support what the president may think proper to arrange. Here then we have had the demarcations of the constitution disregarded, and the spirit of that instrument violated, by a real tho' hidden amalgamation of the executive and legislative powers. A democratic member urges the forcing through of an executive measure (the tax bill) because the next congress may not be so well organized, and a member of the executive council pens laws to answer the personal views of the executive. But execrable beyond all these are the immediate prostitution of presidential labours to the increase of popular delusion. This may be established by a recurrence to a few facts, too recent to be forgotten, and too palpable to be mistaken, the style and subject-matter of the inaugural address, and the recent announcement, in the presidential paper, of the overture of the Russian minister of his mediation towards restoring the amicable relations between England and America. Both these are designed to have an influence on the approaching elections in Virginia and North Carolina. The heated, intemperate, and acrimonious style of the address, is unsuited to the dignity and solemnity of the occasion, and becoming the character of the chief magistrate of a brave and generous people. It is not the language of mingled resentment, but the ebullitions of deadly rancour—not the reprobation of a dignified and honourable mind, but the violent invective of an exacerbated and peevish spirit. It charges the enemy with what he himself had been instrumental in introducing—disorganizing, and demoralizing practices.

The proclamation of Gen. Hull contains the very principles so violently reprobated by the president, and was issued for the avowed purpose of transforming a whole people into traitors. This self-same proclamation, which is such a damning proof of the inconsistency of our chief magistrate, was manufactured at Washington by men high in office, and, with the privacy and consent of the president, afterwards used as a lawful weapon of war. How then can we explain the president's conduct, in doing to others as he would not they should do unto him. How can he charge on the enemy, as a crime, what he has not hesitated to suffer and recommend in the case of the American people.

The peremptory refusal of the overture of the Russian minister, a few weeks ago by the president, fully explains why it is again to be found in the executive news-paper, at this particular time. It is a mere stage trick, a political finesse—intended to have an influence on the approaching elections in Virginia and North Carolina. Otherwise why has Mr. Gales been made to announce that the president's reception of this proposition was so much more gracious than on the former occasion, as no circumstances have arisen since, in the smallest degree changing the policy of either England or America? Or why this idle rumour of peace so artfully contrived and so industriously circulated at this time, by the friends of administration? Can they imagine the people of this country so easily to be duped as to catch at any bait which the artful and unprincipled may throw out to them? How degrading is it to the understanding, and how mortifying to the honest pride of Americans, to have such shallow tricks practised on them by a set of trade jugglers, and that too with a view of perpetuating their own power through the weakness or credulity of the honest yeomanry of the country. Gracious Heaven! Is it not wonderful that so large a portion of the American people should remain strangers to the arts which are daily employed to hide from them their true interests? Can they be unmindful of the fatal operations on which those arts have on the spirit and character of the nation, on the preservation of which the duration of our free government depends. Have they not seen how far their rulers have succeeded in perverting the spirit of the constitution and laws, towards the oppression of a part of their fellow-citizens? These evils can only be cured, and their effects counteracted, by the wisdom and virtue of the people, and it is their interest and honour so to exercise their elective franchise, the only effectual remedy, as to restore to its original purity, the government which their ancestors fought and died to establish.

A COUNTRYMAN.

For the Maryland Gazette.

THE HON. JOHN RANDOLPH.

The public attention has long been attracted by the splendid exertions of this virtuous and enlightened statesman. To him America is indebted for some of those imperishable testimonies of talent and patriotism which adorn the future pages of American history, and which posterity will be proud to place in competition with the records of Roman and Grecian valour and genius. Mr. Randolph has been conspicuous for a jealous attachment to liberty—in early life he manifested this by his steady efforts to maintain the sovereignty of the state governments as far as was consistent with the union of the states. Indeed, so was his devotion to the cause of civil liberty, that he entertained no apprehensions, even from those whose integrity he reposed unlimited confidence. He was one of that class of politicians who trembled lest that general government should consolidate the several governments into one, whose encroachments render them nugatory to the ends for which they were instituted. Certain measures of the state president alarmed him for the safety of his favourite principle. They were strong, in his opinion, to comport with the character of a government, whose basis was civil liberty, and whose object was to secure to each of its members as great an extent as was consistent with the preservation of society. His apprehensions, subsequent experience has proved to have been mere chimerical fears. Yet as he had no sinister motives for his opposition but was actuated by a predominant love of truth, this circumstance serves to enlarge in the estimation of every candid mind, so far as moral principle is involved. His youth will find ample apology for the fallacy of those opinions. Governed by the same transcendent principle, he has for several years past been a leader in opposition. His importance and weight in the estimate, his splendid talents, his captivating eloquence, had made the Cyrenian of his party in the congress of the U. States. His genius consequently were fully appreciated by the friends and members of the administration; but they were strangers to his moral virtues; to that high and honourable integrity; to that noble and distinguished patriotism; to that incorruptible principle and keen sensibility, which formed the heart of a man. Hence the unfortunate and misplaced confidence of a member of the cabinet disclosed the character of the narrow, unprincipled, profane and crooked policy, which was pursued by the newly organized administration. "France wants money, she must have it." This, like a tall ship, dispelled the delusion he had been with respect to the character of the liberal associates. He saw he had been striving for what, he supposed, was the good of his country—whilst the good of his party had only the pompous emoluments of office at heart. Practising a deception himself, he not suspect it in others. To this in conjunction with the gradual development of the abominable conspiracy which has been entered into against the dignity and happiness of this country, is owing the steady, and honorable, but hitherto ineffectual opposition which has been maintained on the floor of congress by an upright and energetic minority. In which constellation of luminous statesmen, Mr. Randolph is ever to be seen a star of the first magnitude. In vain, however, he stemmed the torrent of corrupting popular delusion. The infatuation of our countrymen, not the least firm of our ruin, is paramount to every effort—insensible alike to the value of experience, as deaf to the suggestions of reason and prudence. A man could do, has been done, and a virtuous few of our national representatives—all that they can effect in a few breaths—To protest against what they cannot hinder, and claim on all occasions, those rights which cannot by their own strength be maintained. When the spirit and character of a people are lost, or even greatly impaired, requires not "capacity to contrive, persuasion, nor plausibility to seduce, courage to attempt," in order to their ruin. "The most incapable, the most ungracious profligate and the most wretched are sufficient for the work, if the people are accomplices. As it requires not talent to destroy, when circumstances are favourable to its destruction, so it is almost impossible for talents however exalted, to prevent the horrid operations of a government, when the exertions of Randolph and Quincy are left so much to have been done, as to that extent. Would Randolph have shrank and lightened in vain councils? Would his eloquence, and forcible, and rapid and powerful, have been lost on his hearers? Would he have been without its effect on the American people. The oratorical productions of Mr. Randolph, will cause his tomb to be a sacred relic, by the future generations of our country. This is to be said, "Here rests a man, in