several late decrees (orders in council) of his goverament, with expressions of the *regret* felt by his Britannic majesty at the *necessity imposed on him* for such an interference with neutral commerce, and with assurances that his majesty would *readily follow the example*, in case the *Berlin decree should be rescinded*, or would proceed *parri passu* with France, in relaxing the vigor of their measures."——Now, have we, in good earnest, acted up to this declaration? '*Parri passu*' (a term which the *learned* make use of to shew I suppose the utility of Latin) means here, *with equal pace*; or, *to keep pace with*—and, the declaration of our minister, made in the king's name clearly meant not only that he would *readily* follow the example of France; that is to say, that he would do whatever she did, and as soon as she did it, towards the removal of the commercial restrictions altogether; but that he would, in the meantime, *keep pace with her* in softening the rigor of his measures. France, in August last, notifies officially to the American minister, that she *has revoked* her decrees; and that the revocation will be *acted upon on the 1st of November*. That notification is communicated officially to our government; and to follow the *example* of France: '*readily* to follow the example,' evidently required an *immediate* answer on our part that our orders in council *were revoked*, and that the revocation *would be acted upon the 1st of November*. Instead of this, our answer, thro' Lord Wellesley was, that we should wait until the repeal of the French decrees had *actually taken place*, and *until the commerce of neutral nations had been restored to the state in which it was previously to the promulgation of these decrees*; and, of course, our orders in council, our '*retaliatory*' measure would still remain in force, till after the decrees of France should be not only long *revoked*; but until after their operation had *practically* ceased. Was this then shewing a *readiness* to follow the *example* of France in restoring to America the enjoyment of what we declared to be her just rights?—Was this *keeping pace with* France in her measures of relaxation? Was it, in fine, acting up to the declaration made in the king's name, to the American government in February 1808, and upon the sincerity and good faith of which declaration, be it well observed, we built our claim to the *forbearance* of America as to the measures against us which at that time she avowed to have in contemplation? There is one argument, which, though I can hardly think it will be raised, it may not be amiss to state here; namely, that though Napoleon has declared his decrees to be revoked, and though that declaration has been officially announced to us by the American minister first, and now by his government, such is the character of Napoleon, and such has been his conduct, that we ought not to place *any reliance* upon his declaration, and ought to consider it merely as the *cloak for intended acts of fraud or violence*. But, besides the outrage the use of this argument would offer to the American government, who have not only in the words of their minister, given credit to the sincerity of the French declaration, but have *acted* upon it in the issuing of the proclamation before referred to, and in the admitting of French armed vessels into their waters; besides this outrage, we should by the use of such an argument, give a signal proof of our own insincerity, seeing that we have recently held an inferior species of diplomatic communication with France, in the case of the negociation for a cartel, and that, thro' the medium of the transport board, our government has declared (see p. 1167) that any French officer, now our prisoner, shall be liberated and sent back to France, 'if the French government will *certify officially* to our commissioners, that an English prisoner of equal rank shall be released by France.' After this; after offering not merely to *keep pace* with France, but to act by way of anticipation upon her *official promise*, we shall not, I hope, see any attempt, in the American case, to act upon the principle, that no credit is to be given to the official promises or declarations of France. Such are the reasons on which I found my opinion, that our orders in council ought to have been revoked in August, and that the revocation ought to have been acted upon on the first of November last, and of course, as that was not done, that we ought now immediately to revoke them. It is a question of mere justice demanded by particular compact, clearly understood between the parties. It appears to me indisputable, that the fulfilment of this compact demands, on our part, such revocation. It is a question of good faith, and that being the case, no considerations of interest ought to stand in the way. As to the *expediency* of the measure, if the obligations of good faith were wholly out of the question, being thoroughly convinced that, first or last, we must come to the plain, simple, unqualified assertion and maintenance of the *absolute sovereignty of the sea*, or make up our minds, or, rather debase them, which, I trust, we never shall, to submit to become first an *inferior* nation, and next, by an easy transition, to become the vassal of France; being thoroughly convincen of this, and being, by every event that has lately occurred, and that is now likely to occur, strengthened in this conviction, I should look upon the injury, which, to the commercial and manufacturing part of the community, would unquestionably arise out of the threatened *non-intercourse* with America, as of too little importance to be, for one moment, put in the scale against any great maritime principle or maxim. Not that I am, by any means, disposed to underrate that injury, which would be very great,—which would spread far and wide, and which would, in all probability, double the quantity of the present distresses to men in trade, whose distresses are daily and hourly increasing, and who must be an object of the sincere compassion of every considerate man. But, even all this is not to be put in competition with the *independence of England*; and, I am decidedly of opinion, that that independence must be lost, or that we must give up a great part of the *commercial and manufacturing system*, that system so showy and pleasing to the eye, but that system, which, by the easy and ever ready means which it offers to political corruption, has done more harm to England than all the other causes of evil put together. The predominance of commerce and manufactures, national debts and paper money, taxation and pauperism, corruption and degeneracy, have all been engendered together.—This view of the state of the country has, however, nothing at all to do with the question, as to which we are at issue with America. These are matters for our own extensive consideration.—Very serious consideration they demand, and very awful is the prospect before us; but there is nothing even in that prospect which ought to make us unmindful of what is due from us towards other nations. Those who are more immediately and deeply interested in the fate of the question, that is to say, persons engaged in the commerce and manufactures, should, too, bear in mind, that if they suffer from the result, the measures will have been adopted by those, whom in general, have uniformly supported, and therefore they will have little reason to complain. The system to which they have given their support for the last 26 years, is the present system; and therefore, if they have acted conscientiously in supporting it, they ought to admit the supposition, that the conduct of its immediate agents has been equally conscientious. So that, as far as relates to them, there seems to be little room left for well grounded discontent, let the consequences be what they may.

The room which the documents belonging to this subject neceassarily occupy, notwithstanding the expedient of printing them in a smaller than the usual character, preclude the possibility of my introducing into a present number any other subject; for which indeed I am not sorry, because I wished to draw the reader's undivided attention to a question, which, in its consequences, may be of the greatest national importance, and which, while we are yet upon the brink, calls upon us to *look before we leap*.

WM. COBBETT.

State-Prison, Newgate,
Friday, Dec. 14, 1810.

From the London Morning Chronicle.

As the questions with America are of the highest importance, and likely at no distant period to occupy almost exclusively the attention of the government and the country, we deem it right to prevent, as far as possible, any errors from getting hold of the public mind upon the points of right involved in those discussions. Mr. Cobbett, in his last number, has revived a doctrine (if we may so call it,) maintained by him, and by him alone, some years ago, but without much success. He talks of the *sovereignty of the sea*, as inherent in this country, and appeals to Selden as his authority. He treats that learned writer (according to a remark of Swift) as some people do Lords, learning their titles, and then bragging of their acquaintance—for most certain it is, that neither Selden nor any one else ever thought of such a thing as an unlimited sovereignty of the sea. The utmost extent, to which that sovereignty was ever claimed, was the sovereignty of the *British, or narrow seas*. See *Mare Clausum, Book* 11. *passim*; and Cromwell, who is Mr. Cobbett's other authority on the *Laws of Nations*, concluded a treaty with Holland in 1654, by which the *salute in the British seas* is the only right of sovereignty stipulated even there. He had proposed a general acknowledgement of sovereignty in *the British seas*, but, notwithstanding the great and uniform success which he had gained over the Dutch during the whole war, he was content to take only the limited recognition of the Salute. Were any further remark necessary on this point, we should take the liberty of informing (perhaps to one so deeply read in Selden, we should say, reminding) Mr. Cobbett, that the whole controversy which occasioned Selden's work, and that of his antagonish, related to the narrow, or British seas alone—and that Selden himself proves that other nations have a similar sovereignty in other seas—for instance, that Denmark has the sovereignty of the North sea—*Book* 11. *c.* 52. We have great respect for Mr. Cobbetts's powers of writing, but to deal safely with certain questions, a man should have begun by reading somewhat. If Mr. Cobbett is content to assert his own opinion, and to support it by reasoning, it will have considerable weight no doubt—and his arguments will make whatever impression great boldness, and no small eloquence, are calculated to produce—but when he tries to back himself with authorities from the writings of others, or from facts in history, he should consider that he makes an appeal not to the feelings of a Jury, but to the letter of a record.

MESSAGE.

To the House of Representatives of the United States.

I transmit to the House of Representatives a report of the Secretary of State, complying with their resolution of the eighteenth inst.

JAMES MADISON.

February 19, 1811.

Department of State.
February 19, 1811.

SIR.—In pursuance of a resolution of the House of Representatives of yesterday, I have the honor of laying before you the accompanying papers (marked A. and B.) which contain all the information, not heretofore communicated, that has been received by this department "touching the repeal or modification as well as the practical operation of the orders and decrees affecting our neutral commerce since the first day of November, 1810."

With the greatest respect, I have the honor to be, sir, your most obedient servant, R. SMITH.

The President of the United States.

[Here follows a note or two between Mr. Pinkney and Mr. Russell, which shall appear in our next, and a note from Mr. Meyer, Vice-Consul at Bourdeaux, inclosing a French paper containing the letters of the Dukes of Massa and Gaete, translations of which we gave in our last. There is no information from Mr. Russel, of a date subsequent to that of his letter published three weeks ago.]

Extract of a letter from Mr. Pinkney to Mr. Smith, dated

London, Nov. 7, 1810.

I enclose a duplicate of my letter of the 5th instant, in which was transmitted a copy of my note to lord Wellesley of the third, concerning the orders in council.

I have little more to say, in addition to what is contained in that letter, than that it is my intention, in case lord Wellesley gives me an unfavorable answer to it, to enter at large into the whole subject in my rejoinder, and, in case he delays improperly his reply, to take as strong notice of that impropriety as I can.

As soon as the king recovers, I mean to mention again the subject of a minister plenipotentiary to the United States, (which lord Wellesley, notwithstanding his written and verbal pledges, seems to have quite forgotten) and if satisfactory assurances are not renewed and acted upon, to announce my determination to return to America, and leave a *charge d'affairs*, in the choice of whom, however, I shall have considerable difficulty, unless you should furnish me in season with the expected secretary of legation. I presume that, in taking this course, I shall fulfil the wishes of the President, and I can assure you, with great truth, that I shall consult by it my own inclinations.

(COPY.)

Mr. Pinkney to Mr. Smith.

London, Nov. 14, 1810.

SIR,

I have finally determined not to mention to Lord Wellesley (as I had thought of doing) the subject of a plenipotentiary successor to Mr. Jackson. I think, upon reflection, (and shall act accordingly) that I ought, after what has passed, to leave him without further enquiry or notice, on my part, to shape his course upon it; and that, if an appointment should not be made as soon as the king's health (which would seem to be improving) will permit, I ought at once to send in an official note, announcing my resolution to return to America, and to leave some suitable person as *charge d'affaires*.

My letter of the 23d of July informed you that after Lord Wellesley's written assurance of the 22d of that month (which was in conformity, as far as it went, with his assurances in conversation) "that it was his intention *immediately* to recommend the appointment of an envoy extraordinary and minister plenipotentiary from the king to the United States," I did not think myself authorised to take the step which the instructions contained in your letter of the 23d of May, in certain circumstances, prescribed.

My opinion was, that whether the prospect, which then existed, of bringing to a conclusion the affair of the Chesapeake, were taken into the account or not, it was my obvious duty to remain at my post, most irksome as it was every day becoming, until it should incontestably appear, that those assurances were not to be relied upon.

Before a sufficient time had elapsed to warrant so harsh a conclusion, I received from lord Wellesley, on the 28th of August, a further *casual* intimation (reported to you in my letter of the 29th of the same month) that the recommendation of a minister would, as he believed, be made in the course of that week or the next.

In the mean time, the repeal, by the government of France, of the Berlin and Milan decrees, had produced a posture of affairs, which, whatever, might be Lord Wellesley's forgetfulness of his own declarations, or the inattention of his government to what he might advise in consequence of them, rendered my stay in England for two or three months longer indispensable.

In fine, the effect of that consideration had not ceased when the illness of the king made it impossible that I should depart.

Upon the king's recovery, I shall have every motive for bringing this matter to an issue, and none for the least hesitation or reserve upon it.—Several months will have been allowed for the performance of an act which might have been completed in as many weeks.

I shall have done every thing in my power on the subjects connected with the revocation of the French edicts.—And the British government will be in a situation to admit of such proceedings on its own part and on mine as the occasion will require.

From lord Wellesleys intimation of me on the 28th of August, (mentioned above) it is perfectly clear, that he had not then executed the intention, so positively announced in his note of the 22d of July. Five or six weeks had passed, and that which he had both said and written he meant to do *immediately*, he was not yet sure what he meant to do within another fortnight. The presumption seems, nevertheless, to be quite unnatural, that Lord Wellesley continued, up to the commencement of the king's malady, to be negligent of a pledge, which he chose to rest, not merely on his official but his personal character—a pledge, of which he knew I could neither question the sufficiency nor doubt the sincerity, and by which, as he also knew, my conduct on an extremely delicate point of duty was wholly determined.

On the other hand, if lord Wellesley *has* been mindful of his pledge, and has recommended a minister in compliance with it, how has it happened (how *can* it have happened) that his recommendation has not been followed by an appointment?

In the midst of all this doubt, which Lord Wellesley might dissipate if he pleased, by an explanation apparently necessary for his own sake, there is, as I believe, no uncertainty as to the course which, in the actual state of my instructions (or on the score of general propriety) I ought to pursue; especially as I must infer from your silence since the arrival of Mr. Morier at Washington, (if I had no other reason for that inference) that no such communication was made, either by or thro' that gentleman to you, as ought in the judgment of the President to have any influence upon my conduct on this occasion.

I have the honor to be, &c.

(Signed) WM. PINKNEY.

Extract from the postscript, dated the 15th, to Mr. Pinkney's letter of the 14th November, 1810, to Mr. Smith.

P. S. November 15th, I hear nothing from Lord Wellesley, and not much from any other quarter, concerning the orders in council. I have not lately sought any interview with him on that or any other occasion. It is impossible for me to look back upon the past, and to place much value upon conferences.

I am particularly anxious to get from lord Wellesley, in case the British government persists in declining to repeal the orders, a distinct statement in writing of the motives of its conduct.

Thus far I have taken for granted the manifest and incontrovertable justice of our expectations; believing that there could in the first instance be no sufficient inducement for anticipating difficulties and objections in so plain a case; that if any existed they ought to be, and would be, avowed, and that, when avowed, I could meet them with more advantage than while they were only conjectured. Should, however, a studious ambiguity continue to be preserved on a subject, which now touches more nearly than ever (in my opinion, vitally) the character & rights of our country, I shall very soon think myself called upon to suppose for this govermnent reasons which it will not declare, and to examine them with fulness and freedom in a letter to Lord Wellesley. It is unnecessary in the mean time to trouble you with the view which that letter will contain. I have not lately received any thing from France which enables me to put the repeal of the French decrees in a stronger light than could otherwise be done. Mr. Russel has written me two letters, the first dated the 26th of Sept. and received on the 3d of October, the other dated the 10th of October, and received the 13th of November. This last enclosed a letter to me from General Armstrong, of the 29th of September. He had written me a short note from Paris, dated the 13th of September, but not received till long afterwards) which inclosed a copy of the French minister's letter to him of the 12th of that month, already received from Mr. Russell in his letter of the 26th of September.

Such use as could be made of these different communications I have made. Of course it could be very little. A *Moniteur* of the 9th of September, containing the Duke of Cadore's letter of the 5th of August to Gen. Armstrong, (which I got through a private channel) is much more likely to be of service (if any thing can be of service) here, where that journal is considered as equivalent to the London Gazette; and I have accordingly referred to it my note to lord Wellesley of the 3d. inst.

Extract of a letter from Mr. Pinkney to the Secretary of State, dated

London, Nov. 19, 1810.

"My third letter to lord Wellesley concerning the French decrees and the British orders in council will be presented much sooner than I had at first intended. I shall, I think, present it in a few days. Upon the other subject of my letter to you of the 14th inst. I need not add any thing to what is there said upon it.

Extract of a letter from Mr. Pinkney to the Secretary of State, dated

London, Nov. 21, 1810.

"An American vessel (the Fox has, within a few days past, been brought into Plymouth as prize to a king's ship) (the Amethyst) for an imputed attempt to go to Cherbourg in France, in violation of the unrepealed British orders. I have requested that the case may be represented in proper form to me; and I mean to use it as the best ground for my intended letter to lord Wellesley."

Extract of a letter from Wm. Pinkney, Esq. minister plenipotentiary of the United States, in London, to the Secretary of State, dated

London, Dec. 14, 1810.

"On the 4th inst. I received from Lord Wellesley a note, of which a copy marked No. 1 is inclosed, respecting the repeal of the French decrees. The conference to which it invited me took place on the 5th; and in the course of it I explained to him, at considerable length, my view of that subject, and of the points immediately connected with it. Lord Wellesley heard me in his usual manner; but confined himself to such general remarks and professions as I need not repeat to you. He proposed that our conference should be renewed on the 7th, and engaged in the mean time to report to his colleagues what I had said, and at our next interview to make me acquainted with the result.

"He introduced, of his own accord, the two subjects of a minister plenipotentiary, and the Chesapeake.

"On the *first*, he professed to entertain the same disposition and intention as heretofore, and declared that the delay which had taken place arose altogether from some obstacles, of a personal nature, to obtaining the services of the person whom he particularly wished to send to America; that he hoped these obstacles would soon be removed; that he had another person in view if it should be otherwise; that he had not supposed that delay could be considered as of any moment by my government, after the assurance contained in his note to me in July last; that these temporary inequalities were common, and, when not meant to be offensive, were never held to be so, &c. &c. &c.

"On the *second*, he informed me that he had not sent me a paper which he had prepared upon it, because he tho't it would be well that the new minister should carry out the adjustment, and consequently, that it should be postponed till he was appointed. He repeated that we should have no difficulties upon it. I give you these verbal explanations as I received them.

"On the 6th inst. I received from lord Wellesley another note, of which a copy, marked No. 2, is inclosed, requesting me to recapitulate in writing my verbal communication of the 5th. With this request I complied, as you will perceive by the inclosed copy, marked No. 3, of my letter to him of the 10th.

"I could have no motive for going to him on the 7th, and had therefore no interview with him on that day.