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THE *National Intelligencer* will henceforth be conducted by SAMUEL H. SMITH, and JOSEPH GALES, Jun. and printed at the Office of the *former*, to whom subscribers and correspondents are requested still to address themselves.

The annual price, payable in advance, is *Five* dollars. The punctual compliance with this term is at this time of the greatest importance, and is earnestly requested.

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DOCUMENTS

ACCOMPANYING THE MESSAGE OF THE PRESIDENT.

MR. MADISON'S LETTERS TO GEN. ARMSTRONG.

Mr. Madison, Secretary of State, to General Armstrong, Minister Plenipotentiary of the United State, at Paris.

(Extract.)

DEPARTMENT OF STATE,
May 22, 1807.

"The two last letters received from you were of December 24, and January 16.

"The decree of November 21, communicated in the first, had previously reached us, and had excited apprehensions which were repressed only by the inarticulate import of its articles, and the presumption that it would be executed in a sense not inconsistent with the respect due the treaty between France and the U. S. The explanations given you by the minister of marine, were seen by the President with much pleasure, and it only remains to learn that they have been confirmed by the express authority of the emperor. We are the more anxious for this information, as it will fortify the remonstrances which have been presented at London, against the British order of January 7th. Should it, contrary to expectation, turn out that the French decree was meant, and is to operate, according to the latitude of its terms, you will of course have made the proper representations, grounded as well on the principles of public law, as on the express stipulations of the convention of 1800. Nothing, besides, could be more preposterous, than to blend with an appeal to neutral rights and neutral nations, a gross infraction of the former, and outrage on the sentiments of the latter; unless it be to invite a species of contest on the high seas, in which the adversary has every possible advantage. But on the more probable supposition, that the decree will not be unfavorably expounded, it will be still necessary to press on the French government a dispatch of such orders to their cruizers in every quarter, as will prevent a construction of the decree favorable to their licentious cupidity. The moment your letter was received, the answer of the French minister of marine to your note was communicated to Gen. Turreau, with a call on him to transmit it immediately to the French governors in the West Indies. This he readily engaged to do. But notwithstanding this precaution, there are proofs that the West India privateers have, under color of the edict, committed depredations, which will constitute just claims of redress from their government.

"Mr. Erving has forwarded a Spanish decree also, avowedly pursuing the example and the views of the French emperor. The terms of this decree are even more vague, or rather more broad, than those of the prototype; and, if not speedily recalled or corrected, will doubtless extend the scene of spoliations already begun in that quarter; and of course, thicken the cloud that hangs over the amity of the two nations."

Extracts of a letter from Mr. Madison to Gen. Armstrong.

DEPARTMENT OF STATE,
February 8th, 1808.

"Your letters and communications by Dr. Bullus were duly delivered on the 14th day of December. The same conveyance brought a copy of the sentence pronounced by the French prize court in the case of the Horizon, giving a judicial effect to the decree of Nov. 21st, 1806, as expounded in the answer of Mr. Champagny to your letter of the 12th November 1807.

Whilst the French government did not avow or enforce a meaning of the decree of Nov. 1806, in relation to the U. S. extending its perview beyond the municipal limits, it could not in strictness be regarded as an infraction either of our neutral or conventional rights; and consequently did not authorise more than a demand of seasonable explanations of its doubtful import, or friendly expostulations with respect to the rigor and suddenness of its innovations.

The case is now essentially changed. A construction of the decree is avowed and executed, which violates as well the positive stipulations of the convention of Sept. 30th, 1800, as the incontestible principles of public law: and the President charges you to superadd to whatever representations you may have previously made, a formal remonstrance in such terms as may be best calculated either to obtain a recall of the illegal measure, so far as it relates to the U. S. or to have the effect of leaving in full force all the rights accruing to them from a failure to do so.

That the execution of local laws against foreign nations on the high seas, is a violation of the rights of the former and the freedom of the latter, will probably not be questioned. A contrary principle would in fact imply the same exclusive dominion over the entire ocean, as is enjoyed within the limits of the local sovereignty, and a degradation of every other nation from its common rights and equal rank.

If it be contended that the decree, as a retaliation on the other belligerent, at the expence of neutral nations, is justified by a culpable acquiescence in the prior measures of that belligerent, operating through neutrals, you will be able to deny such acquiescence, and to urge moreover that, on every supposition, the retaliating measure could not be justly inforced, in relation to neutrals, without allowing them at least a reasonable time for chusing between due measures against the prior wrong, and an acquiescence in both. The copy of the representations to the British government, through its minister here, on the subject of its orders of January, 1807, will at once disprove an acquiescence on the part of the United States, and explain the grounds on which the late extension of the French decree of November, 1806, is an object of just remonstrance.

The conduct of the French government, in giving this extended operation to its decree, and indeed in issuing one with such an apparent or doubtful import against the rights of the sea, is the more extraordinary, inasmuch as the inability to enforce it on that element exhibited the measure in the light of an empty menace, at the same time that it afforded pretexts to her enemy for severe retaliations, for which ample means are found in her naval superiority.

The accumulated dangers, to which the illegal proceedings of the belligerent nations have subjected the commerce and navigation of the United States, have at length induced Congress to resort to an embargo on our own vessels, as a measure best fitted for the crisis, being an effectual security for our mercantile property and mariners, now at home and daily arriving, and, at the same time, neither a measure, nor just cause, of war. Copies of this act were, soon after its passage, transmitted to Mr. Pinkney, with an authority to assure the British government that it was to be viewed in this light, and that it was not meant to be the slightest impediment to amicable negociations with foreign governments. He was requested to avail himself of an opportunity of communicating to you and Mr. Erving this view of the subject, and I hope that you will have been thence enabled to present it to the French government. Not relying however on that indirect opportunity, I send by this another copy of the act, with an instruction from the President, that you make it the subject of such explanations as will guard against any misconception of the policy which led to it. It is strictly a measure of precaution, required by the dangers incident to external commerce, and, being indiscriminate in its terms and operation towards all nations, can give no just offence to any. The duration of the act is not fixed by itself; and will consequently depend on a continuance or cessation of its causes, in a degree sufficient in the judgment of the legislature, to induce or forbid its repeal. It may be hoped that the inconveniences felt from it by the belligerent nations may lead to a change of the conduct which imposed the inconveniences of it on ourselves. France herself will be a sufferer, and some of her allies far more so. It will be very agreeable to find in that consideration, and still more in her sense of justice, a sufficient motive to an early manifestation of the respect due to our commercial rights. The example would be worthy of the professions which she makes to the world on this subject."

"February 18. Since the above was written, I have been under a degree of indisposition which has suspended the proposed continuation of it, and which now will oblige me to be very brief; the more so, as the vessel has been some days detained, which was engaged for the special purpose of conveying public dispatches and private letters to Europe.

The delay has enabled me to inform you that Mr. Erskine, a few days ago, communicated, by instructions from his government, its late decrees of November 11, and those forming a sequel to them.—The communication was accompanied with assurances, that much regret was felt by his Britannic majesty at the necessity which the conduct of his enemy had created for measures so embarrassing to neutral commerce; and that his majesty would readily follow an example of relinquishing such a course, or even of making relaxations *pari passu* with his enemy.

In remonstrating against the injustice and illegality of the French decree, I am aware that you may be reminded of antecedent injuries to France and her allies, through British violations of neutral commerce. The fact cannot be denied, and may be urged with great force, in our remonstrances against the orders to which Great Britain has given a retaliating character; since the French decree might, on the same ground, be pronounced a retaliation on the preceding conduct of Great Britain. But ought the legitimate commerce of neutrals to be thus the victim and the sport of belligerents, contesting with each other the priority of their destructive innovations; and without leaving, either of them, to neutrals even the opportunity or the time for disproving that culpable acquiescence, which is made the pretext by both, for the wrongs done to them? And I must repeat, that, apart from all questions of this nature, the French decree, or at least the illegal extensions of it to the United States, remain chargeable with all the impolicy which has been pointed out.

I find, by accounts from Hamburg, Bremen, Holland, and Leghorn, that the trade and property of our citizens have been much vexed by regulations subaltern to those of the original decree of November 21, 1806. How far the complaints are founded on proceedings violating our public rights, or on such as are unfriendly & inequitable towards our citizens, who have placed their property within those jurisdictions, you will be able to decide better than we can do at this distance; and the President refers to your own judgment, the kind of representation to the French government which those and other analagous casses may require."

Extract of a letter from Mr. Madison to Gen. Armstrong.

DEPARTMENT OF STATE,
May 2d, 1808.

"Since my last, of which lieutenant Lewis was the bearer, I have received your several letters of 27th December, 22d January, 15th and 17th February, with their respective inclosures.

"That of the 15th January, from Mr. Champagny to you, has, as you will see by the papers herewith sent, produced all the sensations here, which the spirit and stile of it were calculated to excite in minds alive to the interests and honor of the nation. To present to the United States the alternative of bending to the views of France against her enemy, or of incurring a confiscation of all the property of their citizens carried into the French prize courts, implied that they were susceptible of impressions by which no independent and honorable nation can be guided; and to prejudge and pronounce for them the effect which the conduct of another nation ought to have on their councils and course of proceeding, had the air at least of an assumed authority, not less irritating to the public feelings. In these lights, the President makes it your duty to present to the French government the contents of Mr. Champagny's letter, taking care, as your discretion will doubtless suggest, that whilst you make that government sensible of the offensive tone employed, you leave the way open for friendly and respectful explanations, if there be a disposition to offer them, and for a decision here on any reply which may be of a different character."

"Congress closed their session on the 25th ultimo. For a general view of their proceedings, I refer to the series of newspapers heretofore, and now forwarded, and to other prints which are added. Among their acts of chief importance is that which vests in the President an authority to suspend in whole or in part the embargo laws.

"The conditions on which the suspending authority is to be exercised will engage your particular attention. They appeal equally to the justice and the policy of the two great belligerent powers now emulating each other in violations of both. The President counts on your best endeavors to give to this appeal all the effect possible with the French government. Mr Pinkney will be doing the same with that of Great Britain. The relation in which a recall of its retaliating decrees, by either power, will place the United States to the other, is obvious, and ought to be a motive to the measure, proportioned to the desire which has been manifested by each, to produce collisions between the U. States and its adversary, and which must be equally felt by each to avoid one with itself.

"Should wiser councils or increasing distresses induce Great Britain to revoke her impolitic orders against neutral commerce, and thereby prepare the way for a removal of the embargo, as it applies to her, France could not persist in the illegal part of her decrees, if she does not mean to force a contest with the United States. On the other hand, should she set the example of revocation, Great Britain would be obliged, either by following it, to restore to France the full benefit of neutral trade, which she needs; or by persevering in her obnoxious orders after the pretext for them had ceased, to render collisions with the United States inevitable.

"In every point of view, therefore, it is so clearly the sound policy of France to rescind so much at least of her decrees as trespass on neutral rights, and particularly to be the first in taking the retrograde step, that it cannot be unreasonable to expect that it will be immediately taken."

"In whatever degree the French government may be led to change its system, you will lose no time in transmitting the information to this department, and to Mr. Pinkney; and by hired conveyance, if necessary. A correspondent instruction is given to Mr. Pinkney.

"It is of the greater importance, that you should receive from each other the earliest notice of any relaxations, as each government is under a pledge to follow such an example by the other. And it is not of less importance that the President or Congress should be acquainted with the facts, that the proceedings here may be accommodated to them.

"That you may know the grounds on which the British orders of November, have been arraigned by this government, I inclose a copy of the answer to Mr. Erskine's note communicating them, a copy of the note being also inclosed.

"The other documents communicated, will put you in full possession of the relations of the United States with Britain, as resulting from the issue of our general negociations, and from that of the mission of Mr. Rose.

This dispatch is forwarded by Mr. Baker, who takes his passage from Baltimore, in a vessel engaged, as was the Osage which sailed from New York, for the special purpose of public & mercantile correspondences with Europe. She will proceed, in the first instance, to L'Orient, where she will leave Mr. Baker, and thence proceed with dispatches for Mr. Pinkney, to Falmouth, where she will remain a few days to receive communications from him: she will then return to L'Orient, in order to bring back Mr. Baker with your communications."

Mr. Madison to General Armstrong.

DEPARTMENT OF STATE,
July 21, 1808.

Sir—Herewith you will receive a copy of the papers relating to one of the vessels which were destroyed at sea by the French frigates, returning from the West Indies. I observe that, in your letter to Mr. Champagny, of the 2d of April, you have incidentally noticed this occurrence. If ample reparation should not have been made to the sufferers, the President thinks it proper that, as their cases become authenticated, you should present them in terms which may awaken the French government to the nature of the injury and the demands of justice. The burning of neutral vessels detained on the high seas, is the most distressing of all the modes by which belligerents exert force contrary to right; and, in proportion as it is destitute of apology, ought at least to be the promptitude and amplitude of the redress. If it be contended that the destruction, in these cases, proceeded solely from the danger that otherwise intelligence might reach a pursuing or hovering force, it may be answered, that if such a plea were of greater avail, it would only disprove a hostility of intention, without diminishing the obligation to indemnify, on the most liberal scale, the injured individuals. It may be added, that if the outrage on the individuals was not meant as a hostility towards their nation, the latter might justly expect a tender of such explanations as would leave no doubt on this subject.

I have the honor to be, &c.

(Signed) JAMES MADISON.

Gen. Armstrong, Minister
Plen. of the U. S. Paris.

Extract of a letter from Mr. Madison to Gen. Armstrong.

DEPARTMENT OF STATE,
July 22, 1808

"Your dispatches by lieut. Lewis were delivered on the 8th inst.

"It is regretted that the interval between his arrival and the date of your letter to Mr. Champagny, during which, I presume, some verbal intercommunication must have taken place, had produced no indication of a favorable change in the views of the French government with respect to its decrees; and still more, that instead of an early and favorable answer to your letter, it should have been followed by such a decree as is reported to have been issued on the 22d April, at Bayonne. The decree has not yet reached the U. S. and therefore, its precise import cannot be ascertained. But if it should be, as it is represented, a sweeping stroke at all American vessels on the high seas, it will not only extend our demands of reparation, but is rendered the more ominous with respect to the temper and views of the emperor towards the U. S. by the date of the measure.

"The arrival of Mr. Baker with my letter of May 2d, of which a copy is herewith sent, will have enabled you to resume the subject of the decrees with the fairest opportunity that could be given to the French government for a change of the unjust and unwise course which has been pursued: and I assure myself that you will not have failed to turn the communications with which you are furnished to the best account. If France does not wish to throw the United States into the war against her, for which it is impossible to find a rational or plausible inducement, she ought not to hesitate a moment in revoking at least so much of her decrees as violate the rights of the sea, and furnish to her adversary the pretext for his retaliating measure. It would seem as if the imperial cabinet had never paid sufficient attention to the smallness of the sacrifice which a repeal of that portion of its system would involve, if an act of justice is to be called a sacrifice.

"The information by the return of the Osage from England is not more satisfactory than that from France. Nothing was said on the subject of the Chesapeake, nor any thing done or promised, as to the orders in council. It is probable that further accounts from the U. States were waited for, and that the arrival of the St. Michael will have led to a manifestation of the real views of that government on those and other subjects. In the mean time it cannot be doubted, that hopes were cherished there of some events in this country favorable to the policy of the orders, and particularly, that the offensive language and proceedings of France would bring on a hostile resistance from the U. States; in which case the British government would be able to mould every thing to its satisfaction. There is much reason to believe that if the British government should not concur in a mutual abolition of the orders and of the embargo, it will result from an unwillingness to set an example which might be followed, and might consequently put an end to the irritating career of her enemy, on which the calculation is built. Might not use be made of this view of the matter, in those frank and friendly conversations which sometimes best admit topics of a delicate nature, and in which pride and prejudice can be best managed without descending from the necessary level? In every view it is evidently