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FIVE DOLLARS PER ANNUM, FRIDAY, DECEMBER 22, 1809. *PAID IN ADVANCE.*

[BY AUTHORITY.]

AN ACT

To suppress Horse-running and Shooting in certain cases in the city of Washington.

SEC. 1. BE *it enacted by the First and Second Chambers of the City Council of Washington,* That from after the first day of January next it shall not be lawful for any person or persons to run an animal of the horse kind, in any of the streets or avenues in the city of Washington, within three hundred yards of any house or building in said city under a penalty of ten dollars for each offence.

SEC. 2. *And be it enacted,* That if the owner of any horse shall permit any minor, slave, or other person to run his horse in any street or avenue of the city within three hundred yards of any house or building in said city, he shall incur the penalty of ten dollars for each offence, one half to go to the informer and the other half to the corporation, and any person shall be authorised to stop or seize any horse so running until the owner shall pay the above penalty.

SEC. 3. *And be it enacted,* That if any slave shall be seen running any horse in any street or avenue of the city within three hundred yards of any house or building, it shall be the duty of any constable to take such slave, before a magistrate, and on his being convicted of such offence he shall be publicly whipped, any number of lashes not exceeding thirty-nine.

SEC. 4. *And be it enacted,* That if any person or persons from and after the said first day of January next shall shoot with a gun or other fire arms within four hundred yards of any house in said city; or on the Sabbath in any part of the city, shall forfeit and pay a fine of ten dollars; one half of said penalty shall go to the informer and the other half to the use of the city.

SAML. N. SMALLWOOD,
President of the First Chamber.
DANL. RAPINE,
President of the Second Chamber.

APPROVED,
December 9th, 1809.
ROBERT BRENT, MAYOR.

AN ACT

For the opening of North New Jersey avenue and Seventh street west.

BE *it enacted by the First and Second Chambers of the City Council of Washington,* That the sum of two thousand dollars be appropriated for opening New Jersey avenue from the Capitol to the northern boundary of the city; and that the sum of twelve hundred dollars be appropriated for opening Seventh street west from Pennsylvania avenue to the northern boundary of said city, which said appropriations shall be expended under the direction of three commissioners to be appointed by the Mayor

Sec. 2. *And be it enacted,* That the Mayor be and he is hereby authorised to borrow at legal interest the sum of three thousand two hundred dollars for the above purposes.

SAML. N SMALLWOOD,
President of the First Chamber.
DANL. RAPINE,
President of the Second Chamber.

FOR THE NATIONAL INTELLIGENCER.

To the people of the United States.

Having announced to the public, some months ago, my intention of entering into astronomical calculations to determine, by one of the most approved methods of computation hitherto devised, the longitude of the Capitol, in the City of Washington from Greenwich observatory, in England, for the purpose of fixing a first meridian for the U. States, at the permanent Seat of their government, I have thought it a duty incumbent on me to fulfil the promise then made, so far as the data afforded by a *single* observation would admit. The result has been obtained with great accuracy, on the following principles.

1st Supposing the form of the Earth to be that of a *perfect sphere,* the length of whose polar is exactly the same as its equatorial diameter, consequently, no reduction has been made, in that case either of the *latitude* of the Capitol, by observation, or of the Moon's equatorial horizontal parallax.

2d. Admitting the figure or shape of the Earth to be an *oblate Spheroid,* the ratio of whose equatorial to the polar axis, is assumed to be as 334 to 333; according to which ratio, a reduction of the latitude of the place, and of the Moon's horizontal parallax, has been made.

3d. Allowing the ratio of the *axes* to be as 230 to 229.

Several considerations induced me to undertake this work, among which, are—

The regret with which I have seen for a number of years, a *patient,* or rather a *regardless* appearance of acquiescence in a degrading state of dependence on a foreign nation, by submitting to the custom of reckoning our departure, or estimating our longitude from Greenwich observatory, in England, as if a prominent link in the chain of our former colonial vassalage, could not be broken, as well as the others.

By the plan of the City of Washington in the Territory of Columbia, the Capitol in that City, is *intended* to be a first meridian for the United States; but in order to *establish* it as such, the distance between it and some other known meridian in Europe, or elsewhere, measured or estimated on a parallel to the Equator, and referred to the Center of the Earth under the respective meridians for which the computation may be made, should be ascertained on correct principles, and with due precision: however exact the data or elements connected with a single observation may be, the result ought not to be depended upon as conclusive, without comparing it with those which may, respectively, be found in future, by skilful persons, and with good instruments. Solar eclipses & occultations of known fixed stars by the moon, afford the best means hitherto discovered for determining the longitude of a place with sufficient accuracy; but when *they* cannot be resorted to; other methods which give a near approximation to the truth, ought not to be disregarded.

The improvements made in the lunar tables since the year 1804, from the discovery of new equations by M. de la Place make it necessary to test the result founded on the occultation of *n* Pleiadum, *(Alcyone)* by the Moon, on the night of the 20th of October, in that year, with other means of research, especially, when a first meridian for any country is proposed to be fixed. I, therefore, consider the abstract of calculations which will be shortly submitted to the American public, to be only the foundation of a superstructure which may, and probably will be completed at no distant period, with such evidences of stability in the materials and workmanship, as shall defy the storms of prejudice or malice to overturn.

WILLIAM LAMBERT.

City of Washington
December 11th, 1809

☞ Such Editors of newspapers within the United States as have a greater attachment to the interests of this country, than to those of any foreign nation, will be pleased to insert the foregoing address in their respective gazettes.

CONGRESS.

DEBATE
ON THE JOINT RESOLUTION
Approving the conduct of the Executive in relation to the refusal to receive any further communication from Francis James Jackson.

Tuesday, Dec. 19, 1809.

In Committee of the whole, Mr. BASSET in the chair—

(Mr. RHEA (T.) expressed a hope that now no objection would be made to the passage of the resolution. The only objection yet made, as far as he had understood, was a doubt expressed by some gentlemen as to who was the first who suggested the project of enforcing the laws of the U. States by the navy of Great Britain. An insidious attempt had been made to palm it on the administration of this government, which had failed to be proved. It had next been attempted to fix the stigma on Mr. Pinkney.—This also had been disproved; and when they came to the bottom of the business, by the message yesterday received from the President, it had been found that the whole affair had arisen from the suggestion of that renowned and famous politician Mr. Canning, and to have proceeded from the same source as all our difficulties for years past.

Mr R. was decidedly in favor of the resolution. Let me ask you, sir, said he, who have an interest in the adoption of this resolution? Every individual in the United States, I reply. The President of the U. S. in his official capacity, is a Representative of all the citizens of the United States. Every citizen then is interested in his acts, and in supporting them when there is occasion. It is the duty of every nation, like individuals, to adopt those things necessary to its own happiness and interest. Will any one deny that the adoption of this resolution will have a happy effect on our union as a people and respectability as a nation? Mr. Jackson did not make his offensive remarks in his individual character but as the Representative of the king of Great Britain. So far as we know, the conduct of Mr. Jackson may be traced to the source whence he derives his authority; & although Mr. Jackson were to be punished for his conduct by the British government as Admiral Berkeley was, by being recalled, yet no doubt we should soon, in the same manner, hear of his being appointed to another mission. That however is is the care of his own government; self-preservation is our duty. I am confident that no attempt will be made to justify Mr. Jackson in his conduct, or to palliate it. It could only be palliated on the principle of invincible error or invincible ignorance, which will not be pleaded in excuse for him. His offence had the full appearance of predetermination, because he persevered in it though warned to desist, declaring that he was only asserting matter of fact. Now, when the whole evidence on this case is examined, his facts appear to be bottomed on his own suggestions from begining to end. I impute every thing that he has done to the source of his power—and thus a question arises between this government and that of Britain. In such a case I shall justify my own government, because I believe it to be in the right, and I think the administration has made a noble stand in behalf of the offended dignity of the nation; and I hope the resolution before us approving of that conduct will meet the unanimous consent of the committee.

Mr. POTTER said, as he was called upon to vote on this resolution, he felt it his duty to give his reasons for so doing. He deemed it of some importance to examine the origin of this business and to take a view of it through its different stages to its final conclusion. It appears, said he, that after the United States had laid the embargo, the Executive instructed our minister in London to inform the British nation that it was not meant in hostility to them, but as a mere innocent municipal regulation of our own. Whatever they may have thought of it at that time, they soon found that its features were materially changed, and that it was stript of all its innocence and held up in this country as a coercive measure, and such an one as, if continued and rigorously enforced, would soon bring that haughty imperious nation to a sense of its duty, and that she would be compelled, from motives of self preservation, to do us justice. Notwithstanding they may have suffered some little inconvenience at first, their sullen ministry scorned to complain. After hearing nothing from them, and suffering very much ourselves, our minister in London I believe was instructed to barter away this innocent regulation of ours for their great system of national policy, their orders in Council. This attempt failed, and all we got for this offer were the insolent sarcasms of Mr. Canning, which were too much for any American to bear. Our administration, thus, finding that our commerce was ruined and of course our revenue at an end, our expences increasing & our Treasury exhausting, and having already seen the fate of a former administration which resorted to loans & direct taxes to support this government, & like prudent mariners wishing to avoid the rock upon which a former administration had split, was anxious to find out some plan to extricate this country from the very serious difficulties it was then laboring under; and their good sense led them all to the same remedy, and about the same time—for we find all the heads of departments, although not altogether, yet separately and about the same time in conversation with the British minister on the same subject and holding nearly the same language—and what was the result of all this? It appears that Mr. Erskine communicated what he honestly understood to be the meaning & intentions of our administration to Mr. Canning, who then transmitted to him the despatch of the 23d of January, containing those three propositions which he had supposed would be acceptable here and would form the basis of a treaty. This, sir, is the manner in which this difficulty originated, and it would have been well for the parties in this conversation, as well as for this country, if this conversation had been reduced to writing; for it appears that when Mr. Erskine received this despatch, he did not discover any thing in it more than he expected from the information he had given to Mr. Canning, but, when he offered it for Mr Smith's consideration, he found for the first time that he had misunderstood our government, and that those terms were not only inadmissible but insolent. Now, sir, it is clear that the despatch of 23d January did not authorise Mr. Erskine to make the settlement which he agreed to, nor does it appear that he was asked by Mr. Smith if he had any other instructions different from those; nor does Mr. Erskine at that time pretend that he had any. The inference to be drawn is conclusive, that he had not; because if he had previous instructions that would have authorised the settlement that he made, they certainly would have authorised him to have made the settlement first contemplated in those conversations, which was of importance to his nation, without waiting for the despatch of January. As he did not do it, it is clear in my mind that he had no power before; that the despatch gave him none; and it does not appear that he had any afterwards.

Now, sir, what was it the duty of our government under all circumstances to have done? The parties are now in the same situation as to powers as before this despatch arrived, although Mr. Smith informs Mr. Jackson that he understood that Mr. Erskine had two sets of instructions to regulate his conduct, and that upon one of them, which never had been communicated to himself or the public, rested the justification of the terms finally agreed upon. This I gather from the following sentence in a letter from Mr Jackson to Mr. Smith:

"You have informed me that you understood that Mr. Erskine had two sets of instructions, by which to regulate his conduct; and that upon one of them, which had not been communicated either to you or to the public, was to be rested the justification of the terms finally agreed upon between you and him."

Pray, sir, how did Mr. Smith understand this? He says it was not communicated to him nor the public. How came he by this information? Was it not the duty of Mr. Smith to have demanded of Mr. Erskine those powers, before this settlement was made and finally agreed upon—Because it was the opinion of all parties, that before the despatch he had no authority, and that gave him none, and it has never been pretended that he had any subsequent instructions. As this agreement was on our part honestly and immediately to be carried into execution, it was his indispensable duty to have seen the powers of the British minister. It might have been otherwise if it was not to be carried into execution until ratified by both nations.

Now, sir, if it is proper to compare small things with great—and I do not know but common sense is the same in all kinds of business—suppose a gentleman should come to me to sell me your real estate, and we should converse about the terms, and when it was found that we probably could agree upon the price, he was then to observe that he would apply to you for a power to make the deed, and our bargain is suspended for him to produce it; and that, when it is produced, the terms are altered, and it contains no power to convey—what would be the conduct of a prudent man about to pay his money down? He would wait until another power was obtained from you, authorising the conveyance, or for a deed executed by yourself, placing no reliance on his responsibility. Would he go upon the existence of a power which in the first instance never had been even pretended, the existence of which had never been communicated to him or the public? No, sir, he would demand the sight of this invisible, wonder-working, miraculous power. Now, sir, in what do these two cases differ? I presume at the time of their conversations, the first thing to be attended to was to see which could outdo the other in politeness, in professions of personal respect, and then in professions of a sincere desire of their respective nations to do each other justice, and to terminate in an amicable and friendly manner all former differences, which led to the conversation which was the origin of this business; and when both parties were together, nothing was wanting but a power in Mr. Erskine, which, when it came was found incompetent. If, therefore, he had no power in the first instance, the despatch gave him none, and we hear of none until after the disavowal; and then he talks of the spirit of his *several* letters of instructions.

Let us now, sir, examine the documents for the insult alluded to in the resolution before us. It really seems to me that our government had heard so much of the insolence of this Mr. Jackson, that they expected to be insulted, and anticipated it, and dismissed him to prevent its occurring in reality. I cannot for myself see any insult that is offered to our government. It appears that Mr. Jackson was [illegible] of the disavowal, that he stated it was entered into without competent powers and in violation of particular instructions. He was urged again and made the same answer. The question would admit of no other, unless he had acknowledged that it was entered into with full powers in Mr. Erskine so to do, and that the British government had dishonorably refused to ratify it. Mr. Potter quoted the following as the offensive passages in Mr. Jackson's letters:—

"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 concluded in violation of that gentleman's instructions, and altogether without authority to subscribe to the terms of it. These instructions, I now understand by your letter, as well as from the obvious deduction which I took the liberty of making in mine of the 11th inst. were at the time, in substance, made known to you; no stronger illustration, therefore, can be given of the deviation from them which occured, than by a reference to the terms of your agreement."

"I have shewn that that agreement was not concluded in virtue of a full power, and that the instructions given on the occasion were violated."

"When I informed you that the agreement concluded here in April last, had been framed in deviation from the instructions given for the occasion, my explanation was intended to apply to both parts of that agreement: that nothing, required by the most scrupulous accuracy, may be wanting, I now add, that the deviation consisted in not recording in the official document signed here, the abrogation of the President's proclamation of the 2d July, 1807, as well as the two reserves specified in the paper of memoranda enclosed in my official letter to you of the 27th ultimo. There is another motive for the disavowal of this part of the arrangement, considered to be so strong and so self evident upon the very face of the transaction, that I am not commanded to do more than indicate it in the manner I have already done. By this forbearance his majesty conceives that he is giving an additional pledge of his sincere disposition to maintain a good understanding with the U. S."

"I must beg your very particular attention to the circumstance that his majesty's ratification has been withheld, not because the agreement was concluded without a full power, but because it was altogether irreconcilable to the instructions on which it was professedly founded."

"Indubitably his agreement would nevertheless have been ratified, had not the instructions, which in this case took the place of a full power, been violated."

In all these passages, Mr. Potter said he could see no insult.

For my own part (said he) I do not believe the English want to settle with us at this time, although they may have wished it formerly; because all our restrictions on our commerce operate in her favor. Our embargo taught her a lesson that she never ought to have known; though I believe it was laid on from the best of motives. It taught her the imbecility of our own government to carry it rigidly into execution; and it taught her the value of her possessions in America, and that she could do without us, and that our sufferings by the measure were greater than hers. The non-intercourse operates exclusively in her favor, because we carry our produce half way for her to neutral ports, glut the market, and sell it to her merchants for half price. The growers of the produce have to pay two freights instead of one. And again—British goods are smuggled into this country by speculators below