

THE STAR.

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[No. 59.]

PUBLISHED EVERY THURSDAY, BY THOMAS HENDERSON, JUN. FOR SELF & CO. AT THE UPPER END OF FAYETTEVILLE STREET, NEAR CASCO'S CORNER.—PRICE THREE DOLLARS PER ANNUM, PAYABLE HALF YEARLY IN ADVANCE.—SINGLE PAPER 10 CENTS.

ADVERTISEMENTS.

NOTICE.

THAT valuable Plantation, late the property of Bennett Boddie, dec. lying in the lower end of Wake County, will be leased on the first day of January next, on the premises, for the term of five years. At the same time and place Fifteen or Twenty Nkely Negroes will be hired, men, women, boys and girls. Bonds with approved security will be required.
GEORGE BODDIE, *Guardian.*
December 10, 1809.

New & Fashionable Jewelry

Just received from the North.
CONSISTING of Jet and Gold Necklaces, do. Ear Rings with Pearl and Topaz do. Bracelets, Clasp, Finger Rings with glass for hair work, stone and plain do. Breast-pins with paintings, do. for hair work and gold letters, paste Topaz, pearl, Key, swords, hearts, darts, and almost every kind of pins. Gentlemen's neat and best gold Chains, Seals and Keys. Sleeve buttons, paste and silver knee buckles. Spectacles, silver and gilt, set, goggle eyes, gilt watch chains, seals and keys, steel and glass do. Tooth picks of silver, pencil cases. Ornamented and plain large tortoise-shell Combs, gentlemen's do.—Gold and silver Watches; one good Repeater; Best silver Spoons, Ladles, and Tr. Tonges; Ladies' Chains, Hooks and Keys for Cloaks, &c. A few braces of good Pocket Flints, brass barrels; Sword Cases, German Fuses, &c. &c.

J. SCOTT.

December 5, 1809.

STRAY HORSE.

CAME to the Plantation of the Subscriber about the tenth of October, a large BAY HORSE, about five feet four inches high, with a blaze face and part of the under lip white; saddle spots and collar marks; supposed to be 12 or 15 years old; and very roguish. The owner is requested to prove his property, pay charges and take him away.
WILLIAM WEBB.
Granville County, Dec. 1, 1809.

ON PEE-DEE RIVER,

NEAR Hayley's Ferry, the Subscriber has a valuable and highly improved FARM, which he will rent for the term of five years; or, if desired, a longer time. It contains one hundred acres of cleared land, in fine order for the cultivation of Corn, Cotton, and particularly of Hemp; it being for the most part fresh and rich river bottom. It contains two as excellent Seine Fisheries as any upon the river. The owner will furnish likewise, any person disposed to rent, with Stock of all kinds, now upon the plantation, with twelve or fifteen stacks of blades, ploughs and other implements of husbandry.
Terms, which will be moderate and reasonable, will be made known upon application.
ISAAC JACKSON.
Wadesborough, Anson County, Nov. 28, 1809.

Strayed

FROM my wagon on Wednesday the 22d ult. about twenty-five miles south of Raleigh, on the Fayetteville road, a bright sorrel Horse, with a blaze face, his hind legs white near his hocks; no brand; and about 10 or 11 years old. As he was raised in Wayne county I have some expectation that he has gone that course. He was sold at the WINDY RIDGES' sale in said county. A liberal reward will be given to any person who will take up the above described Horse, and give me information thereof, so that I get him again.
DAVID S. GOODLOE.
Anville County, about 5 miles from Col. 7
Sutherland's Store, Dec. 4th 1809. } 52-3w.

NEW GOODS.

ROBERT CANNON

Has received from New-York, a Large and Elegant Assortment of

DRY-GOODS, GROCERIES, &c.

WHICH he offers for sale on the most liberal terms, at his Store on Fayetteville Street, Raleigh. He returns his thanks to those who have hitherto favoured him with their custom, and assures them that his assortment of Goods is equal to any ever before in Raleigh, and which he is determined to sell low for cash, or on credit to those on whose punctuality he can rely.
57-3t Raleigh, Nov. 29, 1809.

An English & Latin School

WILL commence at Westrayville, in Nash county, the first day of January next, under the superintendance of Mr. JOHN BONARR, who will teach the English Language in all its various branches, with the Latin, Greek and French. The Subscriber has erected a large two-story house for that purpose, on the road leading from Tarborough to Louisa, five miles from Nash Court-House. The place is healthy, and the water good. Those who wish to send their children may rest assured that strict attention will be paid to their morals as well as education. Board may be had at Fifty Dollars. The subscriber, with the board of Trustees, will see that the Students have strict attention paid to them in all respects.
SAMUEL WESTRAY.
55-4tp

LOST

OR mislaid a Note of hand, given by Caton Decosta to Ingram Blanks for \$30. placed in my hands for collection. I forward all persons against trading for it, or the said Decosta paying it to any one but me.
JEHU SCOTT.
Raleigh, Nov 29, 1809.

THE SUBSCRIBER WISHES TO EMPLOY A JOURNEYMAN TAYLOR.

A Steady good workman will meet with constant employment.
JOHN S. BABOTEAU.
Raleigh, November 7, 1809.
An active boy of 13 or 14 years of age would be taken as an apprentice.

DOCUMENTS

Which accompanied the President's Message to Congress.

The Secretary of State to Mr. Erskine.

Department of State, Aug. 9, 1809.
SIR—I have just received from Mr. Pinkney a letter enclosing a printed paper, purporting to be a copy of a dispatch to you from Mr. Canning, which states among other things that "from the report of your conversations with Mr. Madison, Mr. Gallatin and Mr. Smith it appears—"
"1st. That the American government is prepared in the event of His Majesty's consenting to withdraw the orders in Council of January and November 1807, to withdraw contemporaneously on its part, the interdiction of its harbours to ships of war and all non-intercourse and non-importation acts, so far as respects Great Britain, leaving them in force with respect to France and the powers which adopt or act under her decrees."
"2d. That America is willing to renounce, during the present war, the pretension of carrying on in time of war all trade with the enemy's colonies, from which she was excluded during peace."
"3d. Great Britain, for the purpose of securing the operation of the embargo, and the bona fide intention of America, to prevent her citizens from trading with France, and the powers adopting and acting under the French decrees, is to be considered as being at liberty to capture all such American vessels, as may be found attempting to trade with the ports of any of these powers; without which security for the observance of the embargo, the raising it nominally with respect to Great Britain alone, would, in fact, raise it with respect to all the world."

I have the honour to request you to favour me with such explanations as your candour will at once suggest, in relation to these imputed conversations.
From Mr. Erskine to Mr. Smith.
Washington, August 14th, 1809.
Mr. Madison, (then Secretary of State) is represented by me to have urged various arguments tending to prove that the United States had exerted all their efforts to persuade the French government to withdraw their unjust restrictions upon neutral commerce, and that recourse might have been had to measures of more activity and decision against France than mere remonstrances, but that in the mean time Great Britain had issued her Orders in Council, before it was known whether the United States would acquiesce in the aggressions of France, and thereby rendered it impossible to distinguish between the conduct of the two belligerents, who had equally committed aggressions against the United States.

After some other observations, Mr. Madison is stated by me at that time to have added, that as the world must be convinced that America had in vain taken all the means in her power to obtain from Great Britain and France a just attention to her rights as a neutral power by representations and remonstrances, that she would be fully justified in having recourse to hostilities with either belligerent, and that she only hesitated to do so from the difficulty of contending with both; but that she must be driven even to endeavour to maintain her rights against the two greatest powers in the world; unless either of them should relax their restrictions upon neutral commerce; in which case, the United States would at once side with that power against the other which might continue its aggressions.

That every opinion which he entertained respecting the best interests of his country led him to wish that a good understanding should take place between Great Britain and the United States, and that he thought that the obvious advantages which would thereby result to both countries were a sufficient pledge of the sincerity of his sentiments. These observations, sir, I beg leave to remark, were made to me by Mr. Madison about a month after he intelligence had been received in this country of the rejection by His Majesty's government of the proposition made through Mr. Pinkney by the President for the removal of the embargo as respected Great Britain, upon condition that the Orders in Council should be withdrawn as respected the United States; and his sentiments were, as I conceived, expressed to me, in order that I might convey them to His Majesty's government, so as to lead to a reconsideration of the proposition abovementioned with a view to the adjustment of the differences upon that subject between the respective countries. But I never considered that Mr. Madison meant that the government of the United States would pledge themselves beyond the proposition respecting the embargo, as above stated—because that was the extent of the power of the President by the Constitution of the United States.

I understood, very distinctly, that the observations of the Secretary of State were intended to convey an opinion as to what ought and would be the course pursued by the United States, in the event of His Majesty's Orders in Council being withdrawn.
In these sentiments and opinions, you concurred, as I collected from the tenor of several conversations which I held with you at that period.
With respect to the second point, as stated in your letter to be contained in a "Despatch from Mr. Canning," I beg leave to offer the following explanation:
In the course of a private interview I had with Mr. Gallatin, (the Secretary of the Treasury) he intimated that the non-intercourse law which was then likely to be passed by the Congress, might be considered as removing two very important grounds of difference with Great Britain, viz. the non-importation act, as applicable to her alone, & also the President's proclamation, whereby the ships of Great Britain were excluded from the ports of the United States, while those of France were permitted to enter—but that by the non-intercourse law, both powers were placed on the same footing. He did not pretend to say that this measure had been taken from any motives of concession to Great Britain; but as, in fact, those consequences followed, he conceived they might be considered as removing the two great obstacles to a conciliation.

He adverted also to the probability of an adjustment of another important point in dispute between the two countries, as he said he knew that it was intended by the U. States to abandon the attempt to carry on a trade with the colonies of belligerents in time of war, which was not allowed in time of peace, and to trust to the being permitted by the French to carry on such trade in peace, so as to entitle them to a continuance of it in time of war.
As it may be very material to ascertain what "trade with the colonies of belligerents" was, in my conception, meant by Mr. Gallatin, so intended to be abandoned by the United States, I feel no hesitation in declaring, that I supposed, he alluded to the trade from the colonies of belligerents direct to their mother country, or to the ports of other belligerents, because the right to such trade had been the point in dispute; whereas, the right to carry on a trade from the colonies of belligerents to the United

States had never been called in question, and had been recognised by His Majesty's Supreme Court of Admiralty; and the terms upon which such colonial produce might be re-exported from the United States had been formally arranged in a treaty signed in London by the Ministers Plenipotentiary of both countries, which was not indeed ratified by the President of the United States; but was not objected to as to that article of it which acted the terms upon which such trade was to be permitted.

The Secretary of State to Mr. Jackson, dated Oct. 26th 1809.

SIR—An arrangement, as to the revocation of the British Orders in Council, as well as to the satisfaction required in the case of the attack on the Chesapeake frigate, has been made in due form by the government of the United States with David Mantague Erskine, Esq. an accredited Minister Plenipotentiary of His Majesty. And after it had been faithfully carried into execution on the part of this government and under circumstances rendering its effects on the relative situation of the United States irrevocable, and in some respects irreparable His Britannic Majesty has deemed it proper to disavow it, to recall his Minister, and to send another to take his place.

In such a state of things, no expectation could be more reasonable, no course of proceeding more obviously prescribed by the ordinary respect due to the disappointed party, than a prompt and explicit explanation, by the new functionary, of the grounds of the refusal on the part of his government to abide by an arrangement so solemnly made—accompanied by a substitution of other propositions.

Under the influence of this reasonable expectation, the President has learned, with no less surprise than regret, that in your several conferences with me you have stated:—
1st. That you have no instructions from your government, which authorise you to make any explanations whatever to this government, as to the reasons, which had induced His Britannic Majesty to disavow the arrangement lately made by your predecessor, and that therefore you could not make any such explanations.

2d. That in the case of the Chesapeake, your instructions only authorise you (without assigning any reason whatever why the reasonable terms of satisfaction tendered and accepted, have not been carried into effect) to communicate to this government a note tendering satisfaction, with an understanding that such note should not be signed and delivered by you, until you should have previously seen and approved the proposed answer of this government, and that the signing, and the delivery of your note & of the answer of this government should be simultaneous.

3d. That you have no instructions, which authorise you to make to this government any propositions whatever in relation to the revocation of the British Orders in Council; but only to receive such as this government may deem it proper to make to you.

4th. That at all events, it is not the disposition or the intention of the British government to revoke their Orders in Council, as they respect the United States, but upon a formal stipulation on the part of the United States, to accede to the following terms & conditions, viz.

1st. That the act of Congress, commonly called the non-intercourse law, be continued against France, so long as she shall continue her decrees.

2d. That the Navy of Great Britain be authorised to aid in enforcing the provisions of the said act of Congress.

3d. That the United States shall explicitly renounce, during the present war, the right of carrying on any trade whatever, direct or indirect, with any colony of any enemy of Great Britain, from which they were excluded during peace; and that this renunciation must extend, not only to the trade between the colony and the mother country, but to the trade between the colony and the United States.

If, in the foregoing representation, it should appear, that I have in any instance misapprehended your meaning, it will afford me real pleasure to be enabled to lay before the President a statement, corrected agreeably to any suggestions, with which you may be pleased to favour me.

To avoid the misconceptions incident to oral proceedings, I have the honour to intimate that it is thought expedient, that our further discussions, on the present occasion, be in the written form: And with great sincerity I assure you, that whatever communications you may be pleased thus to make, will be received with an anxious solicitude to find them such as may lead to a speedy removal of every existing obstacle to that mutual and lasting friendship and cordiality between the two nations, which it is obviously the interest of both to foster.

Mr. Jackson to Mr. Smith.

Washington, 11th Oct. 1809.

SIR—I have had the honour of receiving your official letter of the ninth inst, towards the close of which you inform me, that it had been thought expedient to put an end to all verbal communication between yourself and me, in discussing the important objects of my mission. Considering that a very few days have elapsed since I delivered to the President a credential letter from the King my master, and that nothing has been even alleged to have occurred, to deprive me of the facility of access, and of the credit to which, according to immemorial usage, I am by that letter entitled, I believe there does not exist in the annals of diplomacy a precedent for such a determination between two Ministers, who have met for the avowed purpose of terminating amicably the existing differences between their respective countries: but after mature reflection, I am induced to acquiesce in it by the recollection of the time that must necessarily elapse before I can receive His Majesty's commands upon so unexpected an occurrence, and of the detriment that would ensue to the public service, if my ministerial functions were, in the interval, to be altogether suspended. I shall therefore content myself with entering my protest against a proceeding which I can consider in no other light, than as a violation, in my person, of the most essential rights of a public minister when adopted as in the present case, without any alleged misconduct on his part. As a matter of opinion, I cannot, I own, assent to the preference which you give to written over verbal intercourse for the purpose of mutual explanation and accommodation.

It was not known when I left England, whether Mr. Erskine had, according to the liberty allowed him, communicated to you in extenso his original instructions. It now appears that he did not. But, in reverting to his official correspondence, and particularly to a dispatch addressed on the 20th of April to His Majesty's Secretary of State for Foreign Affairs, I find that he there states, that he had submitted to your consideration, the three conditions specified in those instructions, as the ground work of an arrangement which, according to information received from this country, it was thought in England might be made, with a prospect of great mutual advantage. Mr. Erskine then reports YERBA SIM ET SEKTATIM your observations upon each of the three conditions, and the reasons which induced you to think that others might be substituted in lieu of them. It may have been concluded between you that these latter were an equivalent for the original conditions; but the very act of substitution evidently shews that those original conditions were, in fact, very explicitly communicated to you, and by you of course laid before the President for his consideration. I need hardly add, that the difference between these conditions and those contained in the arrangement of the 18th and 19th April, is sufficiently obvious to require no elucidation; nor need I draw the conclusion, which I consider as admitted by all absence of

complaint, on the part of the American Government, & A that under such circumstances, His Majesty had an undoubted and incontrovertible right to disavow the act of his Minister. I must here allude to a supposition, which you have more than once mentioned to me, and by which, if it had any the slightest foundation, this right might perhaps have been in some degree affected. You have informed me that you understood that Mr. Erskine had two sets of instructions, by which to regulate his conduct; & that upon one of them, which had not been communicated either to you or the public, was to be rested, the justification of the terms finally agreed upon between you and him. It is my duty, sir, solemnly to declare to you and through you to the President, that the dispatch from Mr. Canning to Mr. Erskine, which you have made the basis of an official correspondence with the latter Minister, and which was read by the former to the American Minister in London, is the only dispatch, by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement with this country on the matter to which it relates.

To return to the immediate subject of your letter, I beg, sir, to be your intention to state, that no explanation whatever has been given to the American government of the reasons which induced His Majesty to disavow the act of my predecessor, I must, in that case, observe, that in the instructions conveying to him His Majesty's pleasure, those reasons were very fully and forcibly stated; and if he has not transmitted them to you, I can only attribute it to the peculiar delicacy and embarrassment of his situation, for which he probably trusted to the President's goodness to make some allowance; and he might the more reasonably be led to that reliance on it, as a full and ample communication was also made upon the subject by His Majesty's Secretary of State for Foreign Affairs to Mr. Pinkney, to whom the whole of Mr. Erskine's original instruction was read, and who, it was natural to suppose, would convey to his government so much information upon a very momentous occasion, as would relieve Mr. Erskine from the necessity of entering into minute details of the misunderstanding that had occurred. At all events, no complaint can be substantiated against His Majesty's government on this score, seeing that they not only instructed the Minister who had made the disavowed arrangement as to the motives which occasioned the disavowal, but also with frankness, promptitude, and a most scrupulous regard to national honour, gave notice to the American Minister in London of the disavowal, of the motives of it, and of the precautions spontaneously taken by His Majesty to prevent any loss or injury accruing to the citizens of the United States from a reliance on any agreement, however unauthorised, made in His Majesty's name. The mere allusion to this latter circumstance dispenses me from further noticing the effects which you describe as being produced upon the United States by the circumstances of this agreement. How far they are irrevocable it is not for me to determine—but the word irrevocable seems to imply that a loss had been sustained on the occasion by the public or by individuals of this country. So far as His Majesty could be by possibility supposed answerable for such an eventual loss, he has, as I have before stated, taken the utmost precaution to avert it.

As to the expectation entertained here, that the explanation of His Majesty's share in this transaction should be made through me, I might content myself with simply observing, that I was not provided with instructions to that effect, because it was known that the explanation in question had already been given. But it accords with the sentiments of His Majesty towards this country to observe also, that he considered, that as some time must necessarily elapse between my appointment and my entrance on the duties of my Ministry, it would be a more friendly mode of proceeding to state without delay, and through the channels I have already mentioned, the motives that compelled His Majesty to disavow the agreement, than to leave the American government in uncertainty in these respects, till the unavoidably protracted period of my arrival in America.

I will nevertheless avail myself of that mode which he still permits to repeat to you that His Majesty has authorised me, notwithstanding the ungracious manner in which his former offer of satisfaction for the affair of the Chesapeake was received, to renew that which Mr. Erskine is instructed to make. You have said that you so fully understood the particulars of that offer, that you deem it unnecessary to recapitulate them here: I regret that, since they were so clearly understood by you, you should not yet have been enabled to state to me either in our personal communications, or in the letter which I am now answering, whether they are considered by the President as satisfactory, or whether they are such as he ultimately means to accept.

On the subject of His Majesty's Orders in Council, I have had the honour of informing you that His Majesty having caused to be made to the government of the United States certain proposals founded upon principles, some of which were understood to originate in American authorities, and others to be acquiesced in by them; and having afterwards ascertained, in the manner mentioned in a former part of this letter, that the sentiments of the American government were so different from what they were at first understood to be, I was not instructed to renew to you those proposals, nor to press upon your acceptance an arrangement which had been so recently declined, especially as the arrangement itself is become less important, and the terms of it less applicable to the state of things now existing.

Those considerations which were first intimated in Mr. Canning's official letter to Mr. Pinkney of the 23d Sept. 1808, and which, in the process of the following six months acquired greater weight and influence, induced His Majesty, before the result of Mr. Erskine's negotiation was known, to modify the orders in Council of November 1807, by that of the 26th of April, 1809.

The effect of this new order is to relieve the system under which the former orders were issued, from that which has always been represented in this country, as the most objectionable and offensive part of it—the option given to neutrals to trade with the enemies of Great Britain through British ports on payment of a transit duty. This was originally devised and intended as a mitigation of what is certainly more correct but more rigid in principle—the total and unequalled interdiction of all trade with the enemy.—If, however, this mitigation was felt as an aggravation, and, as has been sometimes warmly asserted, as an insult, that cause of complaint is now entirely removed. By the order in Council of the 26th April, 1809, all trade with France and Holland, and the ports of Italy, comprehended under the denomination of the kingdom of Italy, is simply prohibited altogether. No option is afforded, & consequently no transit duty is required to be paid. In another respect the order in Council of the 26th April must be admitted to be more restrictive than those of November 1807.

The trade with enemies' colonies which was opened to neutrals at the commencement of the present war by the order in Council of the 24th June, 1803, was continued to be left open by those of Nov. 1807. The order in Council of the 26th April retracts this indulgence. But it is to be observed, that, since the period, when the orders in Council of November 1807 were issued, the opening of the ports of Spain, of Portugal, of the south of Italy and of Turkey has afforded a more ample scope to neutral commerce, and that by the capture of Martinique, in addition to that of almost all the colonies of enemies of Great Britain, together with the blockade of Gaudaloupe, the extent to which the liberty of commerce with enemies' colonies applied has been so