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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 CONTINUED.)

GENERAL ARMSTRONG TO MR. CHAMPAGNY.

Paris, April 2, 1808.

SIR—Having submitted to the government of the U. S. copies of the imperial decrees of the 21st Nov. 1806 & 17th Dec. 1807, and of the expositions which your excellency has been pleased at different times to give of them, I have recently received the instructions of the President to remonstrate against both the provisions and operation of the said decrees on the ground of their infracting as well the positive stipulations of a particular treaty, as the incontestible principles of public law.

In discharging this duty your Excellency will permit me to recal to your remembrance the 12th and 14th articles of the treaty made between the U. States and France, on the 30th September, 1800. These articles provide that—

"1. It shall be lawful for the citizens of either country to sail with their ships and merchandize (contraband goods always excepted) from any port whatever, to any port of the enemy of the other, and to sail and trade with their ships and merchandize with perfect security and liberty from the countries, ports and places of those who are enemies of both, or of either party, without any opposition or disturbance whatsoever; and to pass not only directly from the places and ports of the enemy aforesaid, to neutral ports and places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be or be not, under the jurisdiction of the same power, unless such ports or places shall be actually blockaded, besieged or invested."

"2. That vessels failing for a port or place belonging to an enemy without knowing that the same is either besieged, blockaded, or invested, may be turned away from such port or place, but they shall not be detained, nor any part of their cargo (not contraband) confiscated, unless, after notice of such blockade or investment, they shall again attempt to enter; but they shall be permitted to go to any other port or place they shall think proper."

"3. That free ships shall give a freedom to goods, and that every thing shall be deemed to be free and exempt, which shall be found on board the ships belonging to the citizens of either of the contracting parties, although the whole lading or any part thereof should appertain to the enemies of either, contraband goods being always excepted."

These stipulations are not more clear in themselves, nor of more indisputable application and authority in the present case, than the injunctions of public law by which they are enforced, viz. that local regulations (excepting by virtue of convention) cannot apply to foreign nations on the high seas, without violating the rights of the one, and the freedom of the other; that blockades can only exist when places are so invested that no serious attempt can be made to approach them without exposing the parties making them to imminent danger; that merchant vessels may be visited without any degradation to the flag of the nation to which they belong, &c. &c. But why multiply proofs of a position which is not denied? Does not the official report of your enlightened predecessor of the 21st November, 1806, admit the illegitimacy of the original decree? Does it not expressly say that the doctrines of blockade introduced by England, are monstrous and indefensible, and that the practice, like the doctrine, is a mockery of right and an insult upon reason? After strictures so severe, because so just, what can be said for the policy of France, which differs in nothing from that of England? Has your excellency attempted to defend either the theory or the practice of this policy on the ground of its conformity to the principles of public law? Or have you done more at any time, or on any occasion, than to seek a justification for it on the bare suggestion that the U. States have acquiesced in the measures of England? And how has even this suggestion been maintained? By an exposition of the wrongs inflicted on American commerce, and which have been notoriously practised by all the belligerents in turn! Have not the ships of the U. States been encountered by all? Have they not been turned from their original destination? Have they not been dragged into foreign ports for adjudication? Have they not in several instances been burnt on the high seas? Is not the argument founded on this state of things equally good for either or for all the belligerents? And can France derive from it rights which do not equally accrue to her enemies? There is however another and a better answer to this suggestion which your excellency has already seen in the letter I had the honor of writing to you on the 16th February last, viz. that the suggestion is neither well nor plausibly founded—and that the United States neither have submitted nor will submit to the usurpations of Great Britain, nor to those of any other nation.

Accept, sir, &c.

JOHN ARMSTRONG.

His Excellency the Minister of Foreign Relations.

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

PARIS, April 12, 1808.

"I have detained Mr. Lewis till to day, on the supposition that my letter of the 2d instant would be answered. This was however a mere accommodation to forms, as the absence of the emperor and of the minister of foreign relations rendered this supposition highly improbable. There being then no public reason for Mr. Lewis's longer stay in Paris, and the permission to the Osage to prosecute her voyage to England, not including one to return to France, I have thought it best that he should embark with such dispatches as were ready, proceed to Falmouth in England, and thence, after receiving Mr. Pinkney's orders, return with all possible expedition to the United States. He has accordingly been instructed to this effect."

Extracts of a letter from General Armstrong to the Secretary of State, dated

PARIS, June 25th, 1808.

"The St. Michael arrived at L'Orient on the 1st instant, and, like the Osage, was immediately put under sequestration. It was not till the 8th that Mr. Baker arrived here.

The remonstrance ordered, with respect to the terms of M. Champagny's letter of the 15th of January, shall be executed the moment the Prince of Benevento returns from Valengay; and I hope in a way which, while it makes the French government sensible of the offensiveness of those terms, will not obstruct the road to friendly and respectful explanations on its part.

To give this a chance of finding Mr. Livingston at Bordeaux, I must close it here."

With very high respect sir,
Your obedient servant,
(Signed) JOHN ARMSTRONG.

James Madison, Esq. Secretary of State.

PARIS, July 18th, 1808.

SIR,

I avail myself of the detention of the Arcturus, to transmit copies of two letters, which I have written to M. de Champagny. The one, in execution of the President's orders with regard to the offensive terms employed by that minister in his note of the 15th of January last; the other demanding from him, on the part of his government, an avowal or disavowal of the conduct of rear admiral Baudin, in burning, or otherwise destroying on the high seas, four American ships and their cargoes.

I have the honor to be, sir,
With very high consideration,
Your most obedient and
Very humble servant,
(Signed) JOHN ARMSTRONG.

James Madison, Esq. Secretary of State.

Extract of a letter from general Armstrong to M. Champagny dated

PARIS, *July 4th*, 1808.

SIR—It has been made the duty of the undersigned to bring to the view of the French government, an official note addressed to him on the 15th January last by his majesty's minister of exterior relations; and which, in the opinion of the President, is calculated to derogate from the rights of the United States, as an independent nation. The note is in the following words, viz. (*See M. Champagny's letter of the 15th Jan.* 1808.)

On this note, the undersigned would remark:

1st. That the United States have a right to elect their own policy with regard to England, as they have with regard to France; and that it is only while they continue to exercise this right, without suffering any degree of restraint from either power, that they can maintain the independent relation in which they stand to both: Whence it follows, that to have pronounced, in the peremptory tone of the preceding note, the effects which the measures of the British government ought to have produced on their councils and conduct, was a language less adapted to accomplish its own object, than to offend against the respect due from one independent nation to another: and

2d. That the alternative to be found in the last paragraph, and which leaves the United States to choose between an acquiescence in the views of France, against Great Britain, and a confiscation of all American property, sequestered by order of his imperial majesty, is equally offensive to both governments: to France, as it would impute to her a proposition founded in wrong to individuals; and to the United States, as it would imply, on their part, a subjugation to pecuniary interests, totally inconsistent with their principles, and highly dishonorable to their character.

His excellency will be persuaded that the President, in directing the undersigned to make this representation, had no object in view, beyond that of seeking an explanation which cannot but tend to promote the harmony of the two powers.

The minister plenipotentiary of the U. States,

(Signed) JOHN ARMSTRONG.

His excellency the Minister of Foreign Relations.

Copy of a letter from general Armstrong to M. Champagny, dated

PARIS, *July* 10, 1808.

SIR—Your excellency will see, by the enclosed extracts from two letters, which his majesty's minister of marine has done me the honor to address to me, on the 18th of April and 13th of June last, that the property taken from the four American ships, destroyed by rear admiral Baudin, has been placed under the jurisdiction of the imperial council of prizes, to be judged by it, as a case of ordinary capture.

To your excellency, it will be unnecessary to remark, that whatever may be the decision of this council, in relation to the merchandize which has been *saved*, the case presents a question of much higher import and entirely beyond the jurisdiction of a maritime court, viz. the kind and degree of reparation which shall be due for the ships & merchandize which have been *destroyed*? And, by way of opening this subject, your excellency will permit me to ask—whether his majesty's government does, or does not, justify the conduct of rear adml. Baudin in burning, or otherwise destroying, on the high seas, the ships and merchandize of a neutral and friendly power?

I pray your excellency, &c.

(Signed JOHN ARMSTRONG.

M. Champagny.

Extract of a letter from gen. Armstrong to the Secretary of State, dated

PARIS, *26th July*, 1808.

"It would have given me the highest pleasure to have drawn from this government such explanations on the general subject of our differences with them, as would have met the friendly and equitable views of the United States, but I owe it as well to you as to myself to declare, that every attempt for that purpose, hitherto made, has failed, and under circumstances which by no means indicate any change, in this respect, for the better."

With very high consideration I am, sir, your most obt. servt.

(Signed) JOHN ARMSTRONG.

James Madison, Esquire, Secretary of State.

Extract of a letter from gen. Armstrong to the Secretary of State, dated

PARIS, *7th August*, 1808.

"I wrote a few lines to you yesterday. Two weeks have gone by without any new condemnation. My remonstrances continue to remain unanswered."

"P. S. I enclose a copy of my note of yesterday to M. de Champagny."

Copy of a letter from gen. Armstrong, dated

PARIS, *August 6th*, 1808.

Mr. Armstrong presents his compliments to M. de Champagny, and begs leave to inform him, that having for some months past made trial of the artificial waters of Tivoli, without any useful effect, his physician has prescribed for him those of Bourbon D'Archambault. Should M. de Champagny have any communications to make to Mr. Armstrong, he will be pleased to address them as usual, to the Hotel de Legation Americane, Rue Vanguard, No. 100, whence they will be regularly and promptly transmitted to Bourbon.

On leaving Paris, Mr. Armstrong thinks proper to state his regrets, that the political relations of the two powers should continue to wear an aspect less auspicious to their future good understanding than is wished for by those who are the friends of both.

That his majesty has a right to make such municipal regulations as he may deem proper, with regard to foreign commerce, neither is nor has been denied. For example, he may forbid the entry into the ports of France of American ships which have touched in England, or been destined to England; and he may either sequester or confiscate such vessels of the United States as shall infract these laws, after due promulgation and notice thereof; but beyond this, the U. States hope and believe that his majesty will not go.

M. de Champagny will not fail to seize the distinction which these remarks present, between the authority of municipal regulations and that of public law, and will decide whether it does or does not offer a ground on which the good understanding, so long and so usefully maintained between the U. States and France, may be preserved, and a degree of intercourse between them revived, which shall have the effect of reanimating their former industry.

Does his majesty fear that the balance of trade, arising from this renewed industry, would go to the advantage of England? means are certainly not wanting to prevent this consequence: would it not be entirely avoided by making it a condition of the commerce in question, that all ships leaving France shall take (in some article, or articles of her produce or manufacture) the full amount of the cargoes they bring hither?

Ships sailing under this regulation would or would not go voluntarily to England. If they went voluntarily, it would only be because that country afforded the best markets for the productions of France, in which case the habitual results would be entirely changed, and England, ceasing to receive a balance for her manufactures, would begin to pay one to the United States on the productions of France. Could France wish a state of commerce more prosperous than this?

If, on the other hand, the American ships did not go voluntarily to England, but were captured and sent in for adjudication, it may be fairly presumed, that the United States could no longer hesitate about becoming a party to the war against England.

Thus in either case the interests of his majesty would be directly advanced by the measures: in the one, the wants of France and her colonies would be not only regularly supplied, but she would herself become an entrepot for the supply of the continent; in the other, the wishes of his majesty as expressed in Feb. last, would be directly promoted.

Mr. Armstrong has the honor of renewing to M. de Champagny the assurances of his very high consideration.

To his excellency M. de Champagny, of exterior relations.

Extract of a letter from Gen. Armstrong to the Secretary of State, dated Bourbon l'Archambault, 28th August 1808

"Since my arrival at this place I have been honored by the receipt of your dispatch of the 21st ult. and would immediately return to Paris to renew my discussions with M. de Champagny either personally, as you suggest, or by writing, had I not the most solemn conviction that any new experiment made at the present moment in either form and of official character, would certainly be useless and probably injurious."

Copies and Extracts of Letters from Mr. MADISON to Mr. PINKNEY.

Extracts of a letter from Mr. Madison, Secretary of State, to Mr. Pinkney, dated December 23d, 1807.

"Mr. Erskine having been so good as to let me know, that the mail of this evening will carry his dispatches for a British packet, which will sail from New York immediately on their arrival there, and other conveyances now failing, I avail myself of the opportunity to inclose you a copy of a message from the President to Congress, and their act in pursuance of it, laying an immediate embargo on our vessels and exports. The policy and the causes of the measure are explained in the message itself. But it may be proper to authorise you to assure the British government, as has been just expressed to its minister here, that the act is a measure of precaution only, called for by the occasion; that it is to be considered as neither hostile in its character, nor as justifying or inviting, or leading to hostility with any nation whatever, and particularly as opposing no obstacle whatever, to amicable negociations and satisfactory adjustments with Great Britain, on the subjects of difference between the two countries."

"The suddenness of the present opportunity does not allow me time to add more than a newspaper containing a part of the proceedings of Congress in relation to the embargo."

"P. S. As you may be able to find conveyances to Paris, whither none will for some time offer hence, I request the favor of you to communicate to general Armstrong the contents of this letter, and through him, or otherwise, to Mr. Erving at Madrid."

Extracts of a letter from the same to the same, dated February 19, 1808.

"A vessel having been engaged to carry from the port of New York public dispatches and mercantile letters to Europe, I avail myself of the opportunity of forwarding you a series of gazettes which contain the proceedings of Congress, and such current information as will give you a view of our internal affairs. They will be put with this letter into the hands of Mr. Nourse, a passenger in the dispatch vessel, who will deliver them at London; and as the vessel, which will have previously touched at L'Orient, will, after waiting ten or twelve days at Falmouth, return to that port, and thence to the United States, you will have an opportunity of sending thither any communications you may wish to make to Paris, as well as of transmitting to your government such as may follow up your correspondence, which at the present period will be the more acceptable, the more it be frequent and full."

"My last, which was committed to the British packet, inclosed a copy of the act of embargo, and explained the policy of the measure. Among the considerations which enforced it was the probability of such decrees as were issued by the British government on the 11th November; the language of the British gazettes, with other indications, having left little doubt that such were meditated. The appearance of these decrees has had much effect in reconciling all descriptions among us to the embargo, and in fixing, in the friends of the measure, their attachment to its provident guardianship of our maritime interests."

"Mr. Erskine communicated a few days ago the several late decrees of his government, with expressions of the regret felt by his Britannic majesty at the necessity imposed on him for such an interference with neutral commerce, and assurances that his majesty would readily follow the example, in case the Berlin decree should be rescinded, or would proceed, *pari passu* with France, in relaxing the rigor of their measures. Mr. Erskine was asked whether his government distinguished between the operation of the French decree municipally on land, and its operation on the high seas. On this point he was unable to answer; as he also was to an enquiry, whether the late British decrees had reference to the late extension of the French decree with respect to the U. States. He seemed also, as is perhaps the case with his government, to have taken very little into consideration the violations of neutral commerce, and, through them, the vast injury to France, antecedent to the Berlin decree. It is probable that something further is to pass between us on this subject."

Extract of a letter from the Secretary of State to Mr. Pinkney, dated March 8, 1808.

"Having just learnt that the present mail will arrive at New-York in time for the British Packet, I avail myself of the opportunity of forwarding your commission and letters of credence, as successor to Mr. Monroe in the legation at London.

"Since my last, which went by Mr. Nourse in a despatch vessel, bound first to L'Orient and then to Falmouth, I have received your communications of the 23d November, and of December. These, with a representation from general Armstrong to the French government on the subject of the decree of Berlin, as expounded and enforced in the case of the ship Horizon, were thought by the President to throw so much light on the course likely to be pursued by G. Britain and France, in relation to the U. S. that he had the documents confidentially laid before Congress.

"Mr. Erskine has made a written communication on the subject of the British orders. I shall answer him as soon as the very urgent business on hand will permit."

Extract of a letter from the same to the same, dated March 22, 1808.

"My last bore date the 8th inst. and went by the British packet. It acknowledged your letter of November 23d, and of December. I have since received those referred to in the latter, and also that of January 26, which came to hand last evening.

"I cannot enclose my answer to Mr. Erskine's communication of the British orders; the unceasing pressure of other matters on a state of health, still feeble, having thus far delayed it. You will anticipate the complexion, which will necessarily be given to it, by the character of measures, not only violating our rights, and stabbing our interests; but superadding, under the name of indulgencies, a blow at our national independence, and a mockery of our understandings."

From the same to the same.

(Extracts.) *April* 4, 1808.

"My last was of March 22, and went under the care of Mr. Rose. I now forward printed copies of the correspondence with him, on the subject of his mission, and of the antecedent documents, relating to the case of the Chesapeake. As soon as the voluminous residue of the communications made to Congress issues from the press, it shall also be forwarded. You will find that they include certain documents relating to France, which were thought proper for the knowledge of Congress at the present crisis.

"To those communications, I add copies of Mr. Erskine's letter to me, on the subject of the British decree of November last, and of my answer. And, that you may have a view of the ground which has been taken, with respect to the French decree of November, 1806, and to the judicial exposi-