

at Fort Wayne, on the 26th day of October, 1809, between the United States and the Wea tribe of Indians, the sum of 1500 dollars is hereby appropriated, and a further sum of 300 dollars, annually, which annuity shall be permanent.

Sec. 4. And be it further enacted, That for carrying into effect a treaty concluded at Vincennes, on the 9th day of December, 1809, between the United States and the Kickapoo tribe of Indians, the sum of 500 dollars is hereby appropriated, to be paid annually to the said tribe, which annuity shall be permanent.

Sec. 5. And be it further enacted, That the several sums appropriated by this act, shall be paid out of any monies in the treasury not otherwise appropriated.

J. B. VARNUM,  
Speaker of the House of Representatives.  
JOHN GAILLARD,  
President of the Senate, pro tem  
May 1, 1810.  
APPROVED,  
JAMES MADISON.

#### AN ACT

Providing for the printing and distributing of such laws of the United States as respect the public lands.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the president of the United States be and he is hereby authorized to cause to be collected into one volume, and arranged, the several laws of the United States, resolutions of the Congress under the confederation, treaties and proclamations that have operation and respect to the public lands; and to cause 1200 copies to be printed, one of which shall be transmitted to each of the existing land boards of commissioners for settling land claims, and a copy to each of the registers and receivers of public monies of the several land offices of the United States; and the residue of the said copies shall be preserved for the future disposition of Congress.

J. B. VARNUM,  
Speaker of the House of Representatives.  
JOHN GAILLARD,  
President of the Senate, pro tempore.  
April 27, 1810.  
APPROVED,  
JAMES MADISON.

#### AN ACT

Further to alter and amend "An act providing for the third census or enumeration of the inhabitants of the United States."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That to much of the first section of the act, passed during the present session of Congress, entitled "An act providing for the third census or enumeration of the inhabitants of the United States," as relates to the forms of oaths or affirmations thereby directed to be taken by the marshals, secretaries and assistants therein mentioned respectively, shall be, and hereby is repealed, and the said oaths or affirmations shall be in the following forms, that is to say: the marshals' and secretaries' oaths in the form following: "I, A. B. marshal of the district of (or secretary of the territory of as the case may be) do solemnly swear or affirm, that I will well and truly cause to be made a just and perfect enumeration and description of all persons resident within my district (or territory) and return the same to the secretary of state, agreeably to the directions of the several acts of Congress, providing for the third census or enumeration of the inhabitants of the United States, according to the best of my ability;" and the assistants' oath or affirmation, in the form following: "I, A. B. do solemnly swear or affirm, that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of (or the secretary of the territory of as the case may be) and make due return thereof to the said marshal (or secretary,) agreeably to the directions of the several acts of Congress providing for the third census or enumeration of the inhabitants of the United States, according to the best of my ability."

Sec. 2. And be it further enacted, That it shall be the duty of the several marshals, secretaries and their assistants aforesaid, at the time for taking the census or enumeration aforesaid, to take, under the direction of the secretary of the treasury and according to such instructions as he shall give, an account of the several manufacturing establishments and manufactures within their several districts, territories and divisions. The said assistants shall make return of the same to the marshals or secretaries of their respective districts or territories, & the said marshals and secretaries shall transmit the said returns, and abstracts thereof to the secretary of the treasury, at the same times at which they are by this act and the several acts to which this act is an addition required respectively to make their return of said enumeration to the secretary of state; for the performance of which additional services they shall respectively receive such compensation as shall hereafter be provided by law.

J. B. VARNUM,  
Speaker of the House of Representatives.  
JOHN GAILLARD,  
President of the Senate, pro tempore.  
May 1, 1810.  
APPROVED,  
JAMES MADISON.

The extraordinary delay of the marquis Wellesley in answering the letter of Mr. Pinkney proves the British ministry to have been governed by events in their occurrence posterior to the dismissal of Mr. Jackson. Had they, as they should have been exclusively influenced by that act, with the circumstances that led to it, no reason for delay could have existed. The case was too plain and isolated to embarrass the most ordinary judgment. The facts were amply stated by both parties. The wide field of antecedent negotiation on the complicated affairs of the two nations in this instance presented no obstacle, and Mr. Jackson was at least as fully heard as our government. The requisitions on our part were few and simple, and called for dispatch. In such a state of things the reflection of a day was as good as that of a month, and the judgment must have been as ripe for decision as it ever could be. A prompt compliance with our requisites would have been no less honorable to the British government, than promotive of the best interests of the nation it represented. It would have revived the waning good will of the two nations, and produced certainly in this country, a zealous disposition to yield much for the sake of an entire restoration of harmony. On the other hand, that government must have been sensible that a reluctant & tardy acquiescence in our demands, would assume more the air of policy than of justice, of compulsion than of a spontaneous disposition to do what was right. Such must have been the feeling of the British government had it considered our requisitions reasonable. On the contrary, had it viewed them as unreasonable, the obligation was equally strong to give an immediate answer, that we might be enabled to form an unambiguous estimate of its disposition, and pursue measures dictated by the actual state of things, instead of being bewildered in the inextricable mazes of doubt and mystery. The demand made by us, indeed, so loudly called for a speedy decision, that the annals of diplomacy may be ransacked in vain without finding an analogous case attended with such delay even in those dark periods when force was the acknowledged arbiter between nations. At this day such a delay would not have been tolerated by any European government which would, long before it elapsed, have done itself justice by dismissing the offending minister. England herself would most unquestionably have pursued this course.

The delay, then, was unequivocally the result of circumstances foreign from the case. These were, either—

1. The existing state of parties in England;
2. The political divisions among us; or
3. The line of policy of France towards us.

Separately, or collectively, these causes dictated the stately and measured answer of the marquis Wellesley.

1. We know that the present English ministry tottered to dissolution at the very moment it drew its first breath, and that it has ever since been exposed to the severest paroxysms, of which the parliament has been the theatre. In this state of mixed infancy and dotage, it was all important, to avoid any thing like a rupture with America. In the midst of a wide spread defeat and discomfiture of the British arms, when every ray of hope was quenched in the fatal bogs of Walcheren, and the right arm of British power paralyzed by the rapid disappearance of specie and the consequent de-

preciation of paper currency, when added to all this, so great was the demand for grain, as to have rendered necessary the licensing of vessels trading to France, which at one time amounted to above 500 lying in the Thames, it was not politic to add to her enemies or increase her difficulties. The non-intercourse with her was full in, at least nominal existence, and might be enforced; at any rate the apprehension of such an event might have thrown a weight into the adverse scale, which, added to that already in it, might have been fatal to the reigning party. Hence the importance of assuming the air of great candor, and of a resolute spirit of conciliation towards this country, a spirit that would, in the activity of its zeal, extract good from evil. In the mean time the session of Parliament was passing away, the ministry were pluming themselves on the amicable relations with this country and gaining no mean accession of strength from the reputation; Mr. Pinkney was, with unsuspicious, & even injudicious eloquence, panegyricing the ministry, & perhaps, more than all, the impression was sent across the channel that America and England were soon to be the best friends, thus awakening the jealousy, if not active hostility of France towards us, for causes which had no existence. Even on the 5th of April, 22 days after the delivery of Lord Wellesley's answer, we find the British prints, ministerial as well as others, exulting in the prospect of an accommodation and even treaty between the two nations; nay, the treaty itself is said to have gone out.\* In this expectation the British parliament will in all probability ere this have adjourned; and under the same expectation the good people of England, in all likelihood, will, for months to come, be gaping for the returned treaty—an expectation which will gain strength from the removal instead of enforcement of our non-intercourse, which they will not fail to ascribe to the confidential good understanding between the respective governments.

2. Our political divisions have eminently fostered, if not imperatively dictated, the conduct of Britain towards us. So long as we presented a united front, while the spirit of faction slept, or feared to raise its head, so long as the loud burst of indignation resounded thro' the country, and so long as the representatives of the people appeared to uphold, with unhesitating resolution, the course taken by the executive, the British government exhibited every disposition to do us full justice, not merely in this case, but in all others. Attend to dates and contemporaneous events, and mark the effects!

Mr. Pinkney received his despatches on the 27th of November, & on the Saturday following had a conference with the marquis Wellesley, in the course of which he explained to him fully the grounds upon which he was instructed to request Mr. Jackson's immediate recall. Lord Wellesley's reception "was frank and friendly;" and he left him "with a persuasion that we should have no cause to be dissatisfied with the final course of his government." At this time we appeared to be united. Most of the federal presses espoused the side of the government. Only two or three formed an exception to this honorable spirit. This state of things remained unaltered until more than a month after the meeting of Congress, when the proceedings of the senate held out the flattering prospect of an almost unanimous support of the president by both houses; & under this impression Mr. Pinkney on the 2d of January presented his letter to Lord Wellesley, whose immediate answer was expected. Had the answer been promptly made, there is the strongest reason to believe that its tenor would have been very different from that given ten weeks afterwards; it is probable, that it would have officially admitted Mr. Jackson to have been in the wrong, announced his immediate recall, and named a successor of rank & talents actually substituted in his stead;—connected with the expression of an ardent hope that all existing differences might be settled without delay by Lord Wellesley and Mr. Pinkney, under the assurance of the former that he was not wedded to any men or to any particular doctrines.

But, unfortunately, while the pen of noble marquis was probably engaged in

drawing up such a note, intelligence was quickly conveyed across the Atlantic, that chilled the warm current that flowed fresh from his heart, and afterwards gave it a contrary direction. Party had again raised her hydra head in this country, and thro' the channels of communication with the British government, held out the hope, that she would be able to carry every thing before her.† Averse to yielding more than was requisite to gaining their ends, the ministry hesitated to take any decisive steps, resolving in the interim to watch events. This indecision, no doubt, emboldened the enemies of this country, as well in as out of the cabinet. For if the ends of Britain were to be attained, in consequence of our divisions without making any concessions on her part, or abandoning the ground she had taken, it is easy to calculate the odium that would have been cast upon men, who had resolutely formed a treaty of reciprocal stipulations, involving important sacrifices, which, however just, could not fail at once to shock powerful prejudices and to wound the national sensibility. This pause proved fatal; every arrival from this country painted in glowing, and probably exaggerated colors, our divisions, and the increasing strength of the opposition, until the conviction was produced that not only no effectual measures would be taken to resist the aggressions on our maritime rights, but that even the existing measures, inadequate as they were, would most probably be abandoned. Such we have no doubt, was the purport, & such the effect of the intelligence sent from this country about the beginning of February.

3. Lastly, the line of conduct pursued by France towards us may have had no inconsiderable influence on the conduct of the British government. The steady object of each of these powers is to embroil us with the other. If, consequently, we would agree to make war upon France, England would revoke her orders in council; or, if we would make war upon England, France would rescind her edicts. As this appears to be the end at which they aim, so nothing short of it would seem to satisfy them. This makes each government jealous of the least aspect of our conciliation with the other, and studious to take steps to avert it. Accordingly, when on the dismissal of Mr. Jackson, there were strong indications, manifested by France, of a disposition to revoke or essentially modify her decrees, under the impression, perhaps, of a serious rupture between us and England, the British ministry may have deemed it good policy to lower their ordinary tone to us, and to give us & France to understand that the dismissal of Jackson, so far from impeding, would be converted into the means of accelerating the complete adjustment of our differences; calculating that this would have the effect of cooling the amicable feelings of France towards us, and of inducing her to wait for the issue of our depending negotiation with Britain. The fact is, that the disposition of the French government shortly after underwent a considerable change, and that a period was put to the relaxation of her edicts. Had that government on the other hand, assumed either the attitude of marked hostility, or marked friendship, towards us, it is highly probable that Britain would have seen it to have been her policy to grant us without delay all we asked.

#### Nat. Int.

†Take the following extract from a London print published in March as an evidence of the effect of our divisions on the public sentiment in England.

"American papers arrived in town yesterday.—The question on the comparative disadvantages of war with G. Britain and France has occasioned much discussion in Congress, and indeed throughout the United States; and we are happy to find a more just disposition to appreciate the consequences of a war with this country, than has hitherto been displayed in America, begins to be prevalent. The resolutions of the local legislature of Massachusetts, on the dismissal of Mr. Jackson, refer to this subject, and cannot fail, we should hope, to make a due impression on every sober minded man in the United States."

#### NOTICE,

ALL persons indebted to the estate of Doctor Samuel M. Kee, deceased are requested to come forward and settle up their respective balances—those who became purchasers at the sale are informed their notes are now due.

E. Veto, Exr.

June 14, 1810.