

PONTICAL

From the Freeman's Journal.
Came the day of aching to divine vengeance, the
viclants which result from human indiscretion.

In pious mood Sir Hogot cries,
"Behold! a judgment from the skies!
See Richmond in despair!
No grief like this had rent her heart,
Secure from every hostile dart,
Had virtue flourish'd there.

Those flames in anger sent to burn,
With ashes fill the mighty urn,
And though I quake to tell—
This vestible to scorns below,
Now laid in dust and ashes low,
Has fill'd the vaults of hell!"

And think'st thou, miserable elf,
That Gen vindictive as thyself,
Bestat a hell on earth?
Avant! Avant! no more blaspheme!
No longer urge the impious theme
Stamp'd with Satanic birth.

Mourn (if thou canst) the cruel doom,
That buried in one common tomb,
Worth, virtue, age, and youth;
Mourn, with Virginia, many a son;
In colour, honour, ne'er outdone;
Daughters of matchless truth!

Mourn, if thou canst; but ah! forbear
To charge on Heaven the fatal snare,
For Heaven delights to save!
Bright the Redeemer's form appears,
Bids mourners smile amidst their tears,
And hope beyond the grave.

CHARITY

THE HEART'S EASE

On reading several imitations of CAMERON'S beautiful
Sonnet, "Just like love is yonder rose" wherein the
lovely pansy was compared to an Oak and an Ivy vine.

Not like love is yonder rose,
Which bright and transient, wildly blows
Its blushing breast like passion glows.
Not like love.

Not like love is yonder Oak;
It only feels the lightning's stroke,
And never are its stumbers broke,
By sighs of love.

Not like love the Ivy vine,
Which round the Oak admires to climb;
The weak and mighty ne'er combine,
In bonds of love.

Yet I have seen a little flower,
That blooms almost in Winter's bowery,
With heart's ease blessing many an hour,
Just like love.

Just like love in Spring it blows
Its sweets on Summer's lap it throws
And late in Autumn's lower it glows
Bright as love.

Just like love its tender form
Endures the Sun and braves the storm,
But tho' to earth its sweets are given
As steady eye is fixed on Heaven,
Just like love.

EPIGRAM

A fool and knave with different views,
For Julia's hand apply;
The knave, to mend his fortune sees,
The fool to please his eye.
Ask you how Julia will behave?
Depend on't for a riddle,
If she's a fool she'll wed the knave—
If she's a knave, the fool.

STATE PAPERS.

MR. FOSTER TO MR. MONROE.

Washington, Dec. 28, 1811.

Sir—I have been informed by Mr Morier, that
so long ago as the third of last January, in conse-
quence of a written communication from Sir James
Craig, his Majesty's Governor General and Com-
mander in Chief in Canada, dated the 25th of No-
vember, 1810, acquainting him with his suspicions
of its being the intention of some of the Indian
tribes, from the great fermentation among them, to
make an attack on the United States, and authoris-
ing him to impart his suspicions to the American
Secretary of State; he had actually done so verbally
to Mr. Smith, your predecessor in office, and on
searching among the archives of this mission, I
have found the letter alluded to of Sir James Craig,
by which he did authorise Mr. Morier to make the
communication in question, as well as a memorandum
of its having so been made, as also an express
declaration of Sir James Craig, that although he
doubted there would not be wanting persons who
would be ready to attribute the movements of the
Indians to the influence of the British government,
yet that his department were actually making every
exertion in their power to assist in preventing their
attempts.

This evidence, sir, of a friendly disposition to put
the United States government on their guard a-
gainst the machinations of the savages, and even
to aid in preventing the calamity which has taken
place, is so honorable to the Governor General of
Canada, and so clearly in contradiction to the late
unfounded reports which have been spread of a
contrary nature, that I cannot resist the impulse I
have to draw your attention towards it, not that I
conceive, however, that it was necessary to produce
this proof to the United States' government of the
falsity of such reports, which the character of the Brit-
ish nation, and the manifest inutility of urging the
Indians to their destruction, should have rendered
improbable, but in order that you may be enabled,
in case it shall seem fitting to you, by giving publi-
city to this letter, to correct the mistaken notions
on the subject, which have unfortunately found their
way even among persons of the highest respecta-
bility, only, as I am convinced, from their having
been misinformed.

AUG. J. FOSTER.

The hon. James Monroe, &c. &c.

MR. MONROE TO MR. FOSTER.

Department of State, Jan. 9, 1812.

Sir—I have had the honor to receive your letter
of the 28th ult. disavowing any agency of your go-

vernment in the hostile measures of the Indian
tribes towards the United States. If the Indians
desired any encouragement from any persons in
these measures of hostility, it is very satisfactory to
the President to receive from you an assurance that
no authority or countenance was given to them by
the British government.

JAS. MONROE.

His Excellency Augustus J. Foster, &c. &c.

Washington City, Friday, January 17, 1812.

The following Message was yesterday transmitted by
the President to both Houses of Congress:

To the Senate and House of Representatives of the United
States.

I communicate to Congress a letter from the En-
voys Extraordinary and Minister Plenipotentiary of
Great-Britain to the Secretary of State, with the
answer of the latter.

The continued evidence, afforded in this corres-
pondence, of the hostile policy of the British govern-
ment against our national rights, strengthens the
considerations recommending and urging the pre-
paration of adequate means for maintaining them.

JAMES MADISON.

Washington, Jan. 15, 1812.

MR. FOSTER TO MR. MONROE.

Washington, December 17, 1811.

Sir—I did not mean to have written to you at
this moment on the subject of our late correspon-
dence, but that I have had the mortification to per-
ceive statements, circulated from highly respecta-
ble sources, which give a view of the pretensions
of Great Britain relative to the United States not
warranted by any of the letters which I had the hon-
our to address to you, and which at a time when
discussions are continuing so important to the two
countries, might, if left uncorrected, produce an ef-
fect highly to be lamented by both the American
and British Governments, inasmuch as by creating
unnecessary irritation, they might throw obstacles
in the way of a restoration of a friendly understand-
ing between them.

I find it asserted in the statement referred to, that
I have, in the name of my government, demanded
that the United States government should pass a
law for the introduction of British goods into the
American ports, and also that the United States
should undertake to force France to receive into
her harbors British manufactures.

I beg permission, sir, to declare that neither of
these demands have been made by me, and that
my meaning must not have been understood, if
such was conceived to have been its import. I
could not have demanded the passage of such a law
as above stated, because my government does not
pretend to interfere with the internal government
of a friendly power, nor did I mean to demand that
America should force France to receive our manu-
factures.

All I meant to say was, that the admission of
French commerce while that of England has been
excluded from the United States' ports, was re-
garded by Great Britain as highly unfriendly in A-
merica, and that a continuation of such policy would
be retaliated upon by Great Britain with similar
restrictions on her part, which was so far merely
an offering of like for like. But while the Ameri-
can non-importation act excludes British trade from
the United States' ports, it must be recollected that
it goes still further, and excludes also British armed
ships from American ports, while it admits those of
the enemies of Great Britain. "A neutral nation
is responsible for the equality of its rules of conduct
towards the belligerent powers" (to use the words
of an American Secretary of State in the year 1796)
and therefore the part of the law which establishes
an inequality was justly an object of more serious
complaint on the part of Great Britain. You are
aware, sir, of the advantage which his Majesty's
enemies have derived from this state of inequality,
which enables them, though possessing no port in
this hemisphere, continually to prey on the trade of
his Majesty's subjects, secure of a refuge for their
cruisers and their prizes.

The prohibition of entry to his Majesty's ships
under these circumstances might perhaps justify
Great Britain in asserting, that whatever reason
she may have for repealing or modifying her or-
ders in council, so as to lessen or entirely remove
the pressure now unavoidably laid on the trade of
America as a neutral nation, she might yet refuse
to enter into any discussion on that subject with the
United States, until either by the revocation of the
prohibition above stated, or the placing all the bel-
ligerents under the same prohibition, America
should cease to violate the duties of a neutral na-
tion.

With respect, however, to the supposed demand
that America should force the entry of British
manufactures into France, it is most particularly
necessary that I should explain myself, as a total
misconception appears to have taken place upon
this point. The question of retaliation on the
French decrees is directly one between England
and France. In consequence of the extraordinary
blockade of England, we have in our defence been
obliged to blockade France, and prohibit all trade
in French articles inasmuch as the prohibition by
France of all trade in English articles. This mea-
sure of retaliation, it is wished, should operate on
France alone, but from the trade carried on with
France by America, it unavoidably operates also
on her; it is a measure to destroy the French
trade in return for the similar measure of France
on which it is retaliatory, and its acting on neutrals
is an incidental effect of it, consequent upon the
submission of neutrals to the original measures of
the enemy against Great-Britain. It is, indeed,
melancholy that the unnatural situation of Europe
should produce such a result, but I cannot see how
this can be considered as war on American com-
merce, when all other American trade but that
which is carried on with our enemy's ports in de-
fiance of a blockade authorised by the laws of re-
taliation is unaffected by it. We complain that A-
merica does not resist the regulations of the Ber-
lin and Milan decrees, and object to permitting
the French to trade with her during their continuance
against the commerce of England; but this is not
objecting, as has been represented, that America
should force British manufactures into France; it
is pursuing only a just course of retaliation on our
enemy. If America wishes to trade with France, if
French commerce is of importance to her—we ex-
pect she should exact of France to trade with her
as she has a right to demand in her quality of neu-
tral; but if she does not choose to exercise this

right, all we wish is, that she should abstain from
seeking her assistance in the trade of France, and
not allow her commerce to be a medium of under-
mining the resources of Great-Britain.

Have thought it necessary that to endeavour to
set these two points in their true light; the repeal
of the law was asked, as being an unfriendly mea-
sure, partial in its operation against Great-Britain,
and a prospect of retaliation was held out on its
commercial operation if continued. This is no de-
mand on the United States to admit British manu-
factures; they are at liberty to continue that law,
only as it is of an unfriendly nature, some restriction
of a similar kind was to be expected from England;
and with respect to the alleged demand for forcing
British goods, the property of neutrals, into French
ports, if the United States are willing to acquiesce
in the regulations of the French decrees unlawfully
affecting England through them, they cannot
surely be surprised if we consider ourselves as at
liberty to refuse permission to the French to profit
by that acquiescence.

I will now, sir, take the opportunity of stating to
you, that I have received from His Majesty's Sec-
retary of State, the correspondence of which you
did me the honor to transmit to me a copy in your
letter dated October 17. My government have not
been able to see in it satisfactory proof of the repeal
of the French decrees, and doubt whether the trade
carried on by licences between France and America,
will not be regarded, even here, as proof of the
continuation of them in their fullest extent, for if
they were to any extent repealed, to that extent at
least no licence should be necessary, a licence be-
ing given to allow what, but for that licence, would
be prohibited.

The continued absence hitherto of any instru-
ment by which the repeal has been effected, is a
matter also of surprise, for if there were any fair
dealing in the transaction, no reason can be given
by France for not producing it; it is very desira-
ble that it should be produced, if such an instru-
ment be in existence, in order that we may know to
what extent the decrees have been repealed, if they
really have been so in any respect. Mr. Russell
however, does not appear to have been in possession
of it at the date of his letter of last July. It is in-
deed become particularly interesting, that we should
see this instrument since the publication of Mr.
Russell's correspondence with his own government,
by which it appears that really, and in fact, the
French government did not release any American
ships taken after November 1, until they had be-
come acquainted with the President's Proclamation,
and that vessels have been taken as late as Decem-
ber 21, in the direct voyage from this country to
London; for until a copy of such instrument is pro-
duced, it is impossible to know whether any other
trade is allowed by France than that between her
own dominions and the ports of the United States.

I have the honor to be, with the highest consid-
eration, sir, your most obedient humble servant.

AUG. J. FOSTER.

To the Hon. James Monroe, &c. &c.

MR. MONROE TO MR. FOSTER.

Department of State, January 14, 1812.

Sir—I have had the honor to receive your letter
of December 17th, and I embrace the first moment
that I could command, to make the observations
which it suggests.

It would have afforded great satisfaction to the
President, to have found in the communication,
some proof of a disposition in the British govern-
ment to put an end to the differences subsisting be-
tween our countries. I am sorry to be obliged to
state, that it presents a new proof only of its deter-
mination to adhere to the policy, to which they are
imputable.

You complain that the import of your former
letters has been misunderstood in two important
circumstances: that you have been represented to
have demanded of the U. States, a law for the
introduction of British goods into their ports; and
that they should also undertake to force France to
receive British manufactures into her harbors.

You state that on the first point, it was your in-
tention only to remonstrate against the non-importa-
tion act, as partial in its operation, and unfriendly
to Great-Britain, on which account its repeal was
claimed, and to intimate that if it was persevered in,
Great-Britain would be compelled to retaliate on
the commerce of the United States, by similar re-
strictions on her part. And on the second point,
that you intended only to urge, that in consequence
of the extraordinary blockade of England, your
government had been obliged to blockade France,
and to prohibit all trade in French articles, in return
for the prohibition by France of all trade in English
articles.

It is sufficient to remark on the first point, that
on whatever ground the repeal of the non-importa-
tion act is required, the United States are justified
in adhering to it, by the refusal of the British gov-
ernment to repeal its orders in council; and if
a distinction is thus produced between Great-Britain
and the other belligerent, it must be referred
to the difference in the conduct of the two parties.

On the second point, I have to observe that the
explanation given cannot be satisfactory, because it
does not meet the case now existing. France did,
it is true, declare a blockade of England, against
the trade of the United States and prohibit all
trade in English articles on the high seas, but this
blockade and prohibition no longer exist. It is
true also, that a part of those decrees, did prohibit
a trade in English articles, within her territorial
jurisdiction; but this prohibition violates no national
rights, or neutral commerce, of the U. States.
Still your blockade and prohibition are continued,
in violation of the national and neutral rights of the
United States, on a pretext of retaliation, which, if
even applicable, could only be applied to the for-
mer, and not the latter interdicts; and it is requir-
ed that France shall change her internal regulations
against English trade, before England will change
her external regulations against the trade of the
United States.

But you still insist that the French decrees are
unrevoked, and urge in proof of it, a fact drawn
from Mr. Russell's correspondence, that some A-
merican vessels have been taken since the first of
November, in their route to England. It is a satis-
factory answer to this remark, that it appears by
the same correspondence, that every American
vessel which had been taken in that trade, the seizure
of which rested on the Berlin and Milan de-
crees only, were, as soon as that fact was ascertained,
delivered up to their owners. Might there not
be other ground also, on which seizures might be

made? Great-Britain claims a right to seize
on any ground, and all nations admit it in the case
of contraband of war. If by the law of nations, the
belligerent has a right to seize neutral property,
as well as the other belligerent has the same right,
Nor ought I to overlook that the practice of seiz-
ing American papers in England, which is
well known to the continent, has by imposing the
faith due to American documents, done to the U.
States essential injury. Against this practice the
Minister of the United States at London, in an in-
quiry by reference to his letter to the Marquis Wel-
lesley of the 2d of May, 1810, made a formal re-
presentation, in pursuance of instructions from his
government, with an offer of every information pos-
sessed by him, which might contribute to detect
and suppress it. It is painful to add that this com-
munication was entirely disregarded. That Great-
Britain should complain of acts in France, to which
by her neglect, she was instrumental, and draw
from them proof in support of her orders in coun-
cil, ought certainly not to have been expected.

You remark also, that the practice of the French
government to grant licences to certain American
vessels, engaged in the trade between the United
States and France, is an additional proof that the
French decrees still operate in their fullest extent.
On what principles this inference is drawn from
that fact it is impossible for me to conceive. It is
not the object of the Berlin and Milan decrees to
prohibit the trade between the United States and
France. They were meant to prohibit the trade
of the United States with Great-Britain which in-
volved our neutral rights, and to prohibit the trade
of Great-Britain with the continent, with which the
United States have nothing to do. If the object
had been to prohibit the trade between the United
States and France, Great-Britain could never have
found in them any pretext for complaint. And if
the idea of retaliation could in any respect have
been applicable, it would have been by prohibiting
our trade with herself. To prohibit it with France,
would not have been a retaliation; but a co-opera-
tion. If licencing by France the trade in certain
instances, prove anything, it proves nothing more
than that the trade with France, in other instances,
is under restraint. It seems impossible to extract
from it in any respect, that the Berlin and Milan
decrees are in force, so far as they prohibit the trade
between the United States and England. I might
here repeat that the French practice of granting li-
cences to trade between the United States and
France, may have been intended in part, at least as
a security against the simulated papers; the for-
ging of which was not suppressed in England. It
is not to be inferred from these remarks, that a
trade by licence, is one with which the U. States
are satisfied. They have the strongest objections
to it, but these are founded on other principles than
those suggested in your note.

It is a cause of great surprise to the President,
that your government has not seen in the correspon-
dence of Mr. Russell which I had the honor to
communicate to you on the 17th of October last,
and which has been lately transmitted to you by
your government, sufficient proof of the repeal of
the Berlin and Milan decrees, independent of the
conclusive evidence of the fact, which that corres-
pondence afforded, it was not to be presumed from
the intimation of the Marquis of Wellesley, that
if it was to be transmitted to you, to be taken into
consideration in the depending discussions, that it
was of a nature to have no weight in these discus-
sions.

The demand which you now make of a view of
the order given by the French government to its
cruisers, in consequence of the repeal of the French
decrees, is a new proof of its indisposition to repeal
the orders in council. The declaration of the
French government was, as has been heretofore ob-
served, a solemn and obligatory act, and as such
entitled to the notice and respect of other govern-
ments. It was incumbent on Great-Britain, there-
fore, in fulfilment of her engagements, to have pro-
vided that her orders in council should not have ef-
fect after the time fixed for the cessation of the
French decrees. A pretension in Great-Britain
to keep her orders in force till she received satis-
faction of the practical compliance of France, is
utterly incompatible with her pledge. A doubt,
founded on any single act, however unauthorised,
committed by a French privateer, might, on that
principle, become a motive for delay and refusal.—
A suspicion that such acts would be committed
might have the same effect; and in like manner
her compliance might be withheld as long as the
war continued. But let me here remark, that if
there was room for a question, whether the French
repeal did, or did not take effect, at the date an-
nounced by France, and required by the United
States, it cannot be alleged that the decrees have
not ceased to operate since the 2d of February last,
as heretofore observed. And as the actual cessa-
tion of the decrees to violate our neutral rights,
was the only essential fact in the case and has long
been known to your government, the orders in coun-
cil, from the date of that knowledge, ought to have
ceased, according to its own principles and pledges.

But the question whether and when the repeal
of the Berlin and Milan decrees took effect in re-
lation to the neutral commerce of the United States,
is superseded by the novel and extraordinary claim
of Great-Britain to a trade in British articles, with
her enemy; for supposing the repeal to have ta-
ken place, in the fullest extent claimed by the U-
nited States, it could, according to that claim, have
no effect in removing the orders in council.

On a full view of the conduct of the British gov-
ernment in these transactions, it is impossible to
see in it any thing short of a spirit of determined
hostility to the rights and interest of the United
States. It issued the orders in council, on a prin-
ciple of retaliation on France, at a time when it
admitted the French decrees to be ineffectual; it has
sustained those orders in full force since, notwith-
standing the pretext for them has been removed,
and latterly it has added a new condition of their
repeal, to be performed by France, to which the
United States in their neutral character have no
claim, and could not demand, without departing
from their neutrality a condition which, in respect
to the commerce of other nations with Great-Britain, is repugnant to her own policy, and prohibited
by her own laws, and which can never be enforced
on any nation without a subversion of its sovereignty
and independence.

I have the honor to be, &c.
JAMES MONROE.
Augustus J. Foster, Esq. &c. &c.