CONGRESS.

WASHINGTON, Oct. 11.

HIGHLY IMPORTANT.

The following message was yesterday sent to both Houses of Congress, by the President of the United States. The sentiments it exhibited in both Houses were purely national, and almost unanimous.

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

I lay before Congress communications just received from the Plenipotentiaries of the United States, charged with negociating peace with Great Britain; showing the conditions on which alone that government is willing to put an end to the war.

The instructions of those plenipotentiaries, disclosing the grounds on which they were authorised to negociate and conclude a treaty of peace, will be the subject of another communication.

JAMES MADISON.

Washington, October 10, 1814.

DOCUMENTS.

Copy of a letter from Messrs. Adams, Bayard, Clay, and Russell, to Mr. Monroe, Secretary of State, dated

Ghent, 12th August, 1814.

SIR—We have the honor to inform you that the British Commissioners, Lord Gambier, Henry Goulburn, Esquire, and W. Adams, Esquire, arrived in this city on Saturday evening, the 6th instant. The day after their arrival, Mr. Baker, their Secretary, called upon us to give us notice of the fact, and to propose a meeting, at a certain hour on the ensuing day. The place having been agreed upon, we accordingly met, at 1 o'clock, on Monday, the 8th instant.

We enclose, herewith, a copy of the full powers exhibited by the British Commissioners at that conference; which was opened on their part by an expression of the sincere and earnest desire of their government, that the negociation might result in a solid peace, honorable to both parties. They, at the same time, declared, that no events which had occurred since the first proposal for this negociation, had altered the pacific disposition of their government or varied its views as to the terms upon which it was willing to conclude the peace.

We answered, that we heard these declarations with great satisfaction, and that our government had acceded to the proposal of negotiation, with the most sincere desire to put an end to the differences which divided the two countries, and to lay upon just and liberal grounds the foundation of a peace which, securing the rights and interests of both nations, should unite them by lasting bonds of amity.

The British Commissioners then stated the following subjects, as those upon which it appeared to them that the discussions would be likely to turn, and on which they were instructed.

1. The forcible seizure of marines on board of merchant vessels, and in connection with it, the claim of His Britanic Majesty to the allegiance of all the native subjects of Great Britain.

We understood them to intimate, that the British government did not propose this point as one which they were particularly desirous of discussing; but that, as it had occupied so prominent a place in the disputes between the two countries, it necessarily attracted notice and was considered as a subject which would come under discussion.

2. The Indian allies of Great Britain to be included in the specification, and a definite boundary to be settled for their territory.

The British Commissioners stated, that an arrangement upon this point was a *sine qua non*: that they were not authorized to conclude a treaty of peace which did not embrace the Indians, as allies of His Britanic Majesty; and that the establishment of a definite boundary of the Indian territory was necessary to secure a permanent peace, not only with the Indians, but also between the United States and Great Britain.

3. A revision of the boundary line between the United States and the adjacent British colonies.

With respect to this point, they expressly disclaimed any intention, on the part of their government, to acquire an increase of territory, and represented the proposed revision as intended merely for the purpose of preventing uncertainty and dispute.

After having stated these three points, as subjects of discussion, the British commissioners added, that before they desired any answer from us, they felt it incumbent upon them to declare, that the British government did not deny the right of the Americans to the fisheries generally, even in the open seas, but that the privileges, formerly granted by treaty to the United States, of fishing within the limits of the British jurisdiction, and of landing and drying fish on the shores of the British territories, would not be renewed without an equivalent.

The extent of what was considered by them as waters peculiarly British, was not stated. From the manner in which they brought this subject into view, they seemed to wish us to understand that they were not anxious that it should be discussed, and that they only intended to give us notice that these privileges, had ceased to exist, and would not be again granted without an equivalent, nor unless we thought proper to provide expressly in the treaty of peace for their renewal.

The British commissioners having stated, that these were all the subjects which they intended to bring forward or to suggest, requested to be informed, whether we were instructed to enter into negotiation on these several points? and whether there was any amongst these which we thought it necessary to bring into the negotiation? and they desired us to state, on our part, such other subjects as we might intend to propose for discussion in the course of the negotiation. The meeting was then adjourned to the next day, in order to afford us the opportunity of consultation among ourselves, before we gave an answer.

In the course of the evening of the same day, we received your letters of the 25th and 27th of June.

There could be no hesitation, on our part, in informing the British commissioners, that we were not instructed on the subjects of Indian pacification or boundary, and of fisheries. Nor did it seem proper, although neither of these points had been stated with sufficient precision in the first verbal conference, that they could be admitted in any shape. We did not wish, however, to prejudge the matter by any reply proceeding abruptly to break off the negotiation. It was most important that, on the subject of the Indians, the British government had received erroneous impressions from the Indian traders in Canada, which our representations might remove? And it appeared, at all events, important, to ascertain distinctly the precise intentions of Great Britain on both points. We, therefore, thought it advisable to invite the British commissioners to a general conversation on all the points; stating to them, at the same time, our want of instructions on two of them, and holding out no expectation of the probability of our agreeing to any article respecting them.

At our meeting on the ensuing day we informed the British commissioners, that upon the first and third points proposed by them we were provided with instructions, and we presented as further subjects considered by our government as suitable for discussion:

1st. A definition of blockade; and as far as might be mutually agreed of other neutral and belligerant rights.

2d. Claims of indemnity in certain cases of capture and seizure.

We then stated that the two subjects, 1st of Indian pacification, and boundary, and 2d of fisheries, were not embraced by our instructions.

We observed, that as these points had not been heretofore the grounds of any controversy between the government of Great Britain and that of the United States, and had not been alluded to by lord Castlereagh, in his letter proposing the negociation, it could not be expected that they should have been anticipated and made the subject of instructions by our government: that it was natural to be supposed, that our instructions were confined to those subjects upon which differences between the two countries were known to exist; and that the proposition to define, in a treaty between the United States and Great Britain, the boundary of the Indian possessions within our territories, was new and without example. No such provisions had been inserted in the treaty of peace in 1783, nor in any other treaties between the two countries. No such provision had, to our knowledge, ever been a part of any treaty made by Great Britain or any other European power in relation to the same description of people, existing under like circumstances. We would say, however, that it would not be doubted, that peace with the Indians would certainly follow a peace with Great Britain: that we had information that Commissioners had already been appointed to treat with them; that a treaty to that effect might, perhaps, have been already concluded; and that the United States having no interest, nor any motive, to continue a seperate war against the Indians, there could never be a moment when our government would not be disposed to make peace with them.

We then expressed our wish to receive from the British Commissioners a statement of the views & objects of Great Britain upon all the points, and our willingness to discuss them all, in order that, even if no arrangement should be agreed on, upon the points not included in our instructions, the government of the United States might be possessed of the entire and precise intentions of that of Great Britain, respecting these points, and that the British government might be fully informed of the objections, on the part of the United States, to any such arrangement.

In answer to our remark that these points had not been alluded to by Lord Castlereagh, in his letter proposing the negociation, it was said, that it could not be expected, that, in a letter merely intended to invite a negociation, he should enumerate the topics of discussion, or state the pretensions of his government; since these would depend upon ulterior events, and might arise out of a subsequent state of things.

In reply to our observation, that the proposed stipulation of an Indian boundary was without example in the practice of European nations, it was asserted, that the Indians must in some sort be considered as an independent people, since treaties were made with them, both by Great Britain and by the United States; upon which we pointed out the obvious and important difference between the treaties we might make with Indians, living in our territory, and such a treaty as was proposed to be made, respecting them with a foreign power, who had solemnly acknowledged the territory on which they resided to be part of the United States.

We were then asked by the British Commissioners whether, in case they should enter further upon the discussion of the several points which had been stated, we could expect that it would terminate by some provisional arrangement on the points on which we had no instructions, particularly on that respecting the Indians, which arrangement would be subject to the ratification of our government?

We answered that, before the subjects were distinctly understood, and the objects in view more precisely disclosed, we could not decide whether it would be possible to form any satisfactory article on the subject; nor pledge ourselves as to the exercise of a discretion under our powers, even with respect to a provisional agreement. We added, that as we should deeply deplore the rupture of the negociation on any point, it was our serious desire to employ all possible means to avert an event so serious in its consequences; and that we had not been without hopes that a discussion might correct the effect of any erroneous information which the British government might have received on the subject, which they had proposed as a preliminary basis.

We took the opportunity to remark, that no nation observed a policy more liberal and humane towards the Indians than that pursued by the United States; that our object had been, by all practicable means, to introduce civilization amongst them; that their possessions were secured to them by well defined boundaries; that their persons, lands and other property were now more effectually protected against violence or frauds from any quarter, than they had been under any former government; that even our citizens were not allowed to purchase their lands; that when they gave up their title to any portion of their country to the United States, it was by voluntary treaty with our government, who gave them a satisfactory equivalent; and that through these means the U. States had succeeded in preserving, since the treaty of Greenville of 1795, an uninterrupted peace of 16 years, with all the Indian tribes; a period of tranquility much longer than they were known to have enjoyed heretofore.

It was then expressly stated on our part, that the proposition respecting the Indians, was not distinctly understood. We asked whether the pacification, and the settlement of a boundary for them were both made a *sine qua non*? Which was answered in the affirmative. The question was then asked the British Commissioners, whether the proposed Indian boundary was intended to preclude the United States from the right of purchasing by treaty from the Indians, with the consent of Great Britain, lands lying beyond that boundary? And as a restriction upon the Indians from selling by amicable treaties lands to the United States as had been hitherto practised?

To this question, it was first answered by one of the Commissioners, that the Indians would not be restricted from selling their lands, but that the U. States, would be restricted from purchasing them; and on reflection another of the Commissioners stated, that it was intended that the Indian territories should be terrier between the British dominions and those of the United States; that both G. Britain and the United States should be restricted from purchasing their lands; but that the Indians might sell them to a third party.

The proposition respecting Indian boundary thus explained, and connected with the right of sovereignty ascribed to the Indians over the country, amounted to nothing less than a demand of the absolute cession of the rights both of sovereignty and of soil. We cannot also forbear remarking to you, that the subject (of Indian boundary) was indistinctly stated when first proposed, and that the explanations were at first obscure and always given with reluctance. And it was declared from the first moment, to be a *sine qua non*, rendering any discussion unprofitable, until it was admitted as a basis. Knowing that we had no power to cede to the Indians any part of our territory, we thought it unnecessary to ask, what probably would not have been answered till the principle was admitted, where the line of demarkation of the Indian country was proposed to be established?

The British Commissioners, after having repeated that their instructions on the subject of the Indians were peremptory, stated that unless we could give some assurance, that our powers would allow us to make at least a provisional arrangement on the subject, any further discussion would be fruitless, and that they must consult their own government on this state of things. They proposed, accordingly a suspension of the conferences, until they should have received an answer, it being understood that each party might call a meeting whenever they had any proposition to submit. They despatched a special messenger the same evening, and we are now waiting for the result.

Before the proposed adjournment took place, it was agreed, that there should be a protocol of the conferences; that a statement should for that purpose be drawn up by each party, and that we should meet the next day to compare the statements.—We accordingly met again on Wednesday the 10th instant, and ultimately agreed upon what should constitute the protocol of the conferences. A copy of this instrument, we have the honor to transmit with this despatch; and we also enclose a copy of the statement originally drawn up on our part, for the purpose of making known to you the passages to which the British commissioners objected.

Their objection to some of the passages was, that they appeared to be argumentative, and that the object of the protocol was to contain a mere statement of the facts. They, however, objected to the insertion of the answer which they had given to our question respecting the effect of the proposed Indian boundary; but they agreed to an alteration of their original proposition on that subject, which renders it much more explicit than as stated, either in the first conference or in their proposed draught of the protocol. They also objected to the insertion of the fact, that they had proposed to adjourn the conferences, until they could obtain further instructions from their government. The return of their messenger may, perhaps, disclose the motive of their reluctance in that respect.

We have the honor to be, very respectfully, sir, your humble and obed't servants.

JOHN Q. ADAMS,
J. A. BAYARD,
JONA. RUSSELL,
HENRY CLAY.

PROTOCOL OF CONFERENCE.

August 8th, 1814.

The British and American Commissioners having met, their full powers were respectively produced, which were found satisfactory, and copies thereof were exchanged.

The British Commissioners stated the following subjects as those upon which it appeared to them that the discussions between themselves and the American Commissioners would be likely to turn.

1. The forcible seizure of marines from on board merchant ships on the high seas; and in connexion with it the right of the king of Great Britain to the allegiance of his native subjects.

2. That the peace be extended to the Indian allies of Great Britain, and that the boundary of their territory be definitively marked out; as a permanent barrier between the dominions of Great Britain and the United States.—An arrangement on this subject to be a sine qua non of a treaty of peace.

3. A revision of the boundary line between the British and American territories, with a view to prevent future uncertainty and dispute.

The British Commissioners requested information whether the American Commissioners were instructed to enter into negotiation on the above points? But before they desired any answer, they felt it right to communicate the intentions of their government as to the North American fisheries, viz. That the British government did not intend to grant to the United States, gratuitously, the privileges formerly granted by treaty of them, of fishing within the limits of the British sovereignty and using the shores of the British territories for purposes connected with the fisheries.

August 9.

The meeting being adjourned to the 9th of August, the Commissioners met again on that day.

The American Commissioners at this meeting stated that upon the first and third points proposed by the British Commissioners, they were provided with instructions from their government, and that the second and fourth of these points were not provided for in their instructions. That in relation to an Indian pacification, they knew that the government of the United States had appointed Commissioners to treat of peace with the Indians, and that it was not improbable that peace had been made with them.

The American Commissioners presented as further subjects considered by the government of the United States as suitable for discussion,

1. A definition of blockade, and, as far as may be agreed, of other neutral and belligerent rights.

2. Certain claims of indemnity to individuals for captures and seizures, preceding and subsequent to the war.

3. They further stated, that there were various other points to which their instructions extended, which might with propriety be subjects of discussion in the negotiation of peace or that of a treaty of commerce, which in case of propositions for amendment of the present conferences they were likewise authorized to conclude. That for the purpose of facilitating the first and most essential object of peace, they had disregarded every subject which was not considered as peculiarly connected with that and presented those points which appeared to be immediately relevant to this negotiation.

The American Commissioners expressed their wish to receive from the British Commissioners a statement of the views and objects of Great Britain upon all the points and their willingness to discuss them, in order that if no arrangement be agreed to upon points not in their instructions, which would come within the scope of the powers committed to their discretion, the government of the United States might be possessed of the entire and precise intentions of that of Great Britain, and might be fully informed of the objections on the part of the United States to any such arrangement.

They, the American Commissioners, were asked, whether, if those of Great Britain should come further upon the discussion, particularly respecting the Indian boundary, the American Commissioners could expect that it would terminate by some provisional arrangement which they could conclude, subject to the ratification of their government?

They answered, that as any arrangement to which they could agree upon the the subject must be with special authority from their government, it was not possible for them previous to discussion to decide whether any thing on the subject could be formed which would be mutually satisfactory, and to which they should think themselves under discretionary powers justified in acceding.

The British Commissioners declined entering upon the discussion, unless the American Commissioners would say, that they considered it within their discretion to make a provisional arrangement on the subject conformable to the view of it prescribed by the British government, and proposed to adjourn the conferences for the purpose of consulting their government on this state of things.

The British Commissioners were asked, whether it was understood as an effect of the proposed boundary for the Indians, that the United States would be precluded from the right of purchasing territory from the Indians within that boundary by amicable treaty with the Indians themselves, without the consent of Great Britain? And whether it was understood to operate as a restriction upon the Indians from selling by such amicable treaties, lands to the United States, as has been hitherto practised?

They answered that it was understood, that the Indian territories should be a barrier between the British possessions and those of the United States: that the United States and Great Britain should both be restricted from such purchases of lands; but that the Indians would not be restricted from selling to any third party.

The meeting was adjourned to Wednesday 10th August.

True copy. C. HUGHES, Jr.
Sec. to the Mission Extraordinary.

Messrs. Adams, Bayard, Clay, Russell, and Gallatin, to Mr. Monroe, Secretary of State, dated

Ghent, 19 August, 1814.

SIR—Mr. Baker, Secretary to the British mission, called upon us to day, at 1 o'clock, and invited us to a conference to be held at three. This was agreed to, and the British Commissioners opened it, by saying that they had received their further instructions this morning, and had not lost a moment, in requesting a meeting for the purpose of communicating the decision of their Government. It is proper to notice that Lord Castlereagh