

GRADUATE ACADEMY.

Attention has been directed to the fact that the students of the Graduate Academy...

JOSEPH B. LITTLEJOHN, WILLIAM M. SNEED, THOMAS B. LITTLEJOHN, WILLIAM V. FAYALL.

UNIVERSITY.

The Trustees of the University of North Carolina have engaged Mr. Thomas Mitchell of Wake County...

Raleigh, 20th Dec. 1814.

Masonic Notice.

THE festival of St. John the Evangelist will be observed by the brethren of St. John's Lodge, No. 40...

Medicines, Paints, &c.

THE subscriber has on hand, and is daily receiving, at the SIGN of the MORTAR, nearly opposite Capt. E. Mitchell's Tavern, Raleigh...

Raleigh, Dec. 23, 1814.

DOCUMENTS.

DESPATCHES CONTINUED.

No. IV.

The American to the British Commissioners. Ghent, Sept. 9th, 1814.

The undersigned has the honor to receive the copy of His Britannic Majesty's Plenipotentiaries dated the 4th inst. If, in the tenor or substance of the former note of the undersigned, the British Commissioners have perceived little proof of any disposition on the part of the American government...

The undersigned, in reference to an observation of the British plenipotentiaries, must be allowed to say, that the objects which the government of the United States had in view, have not been withheld. The subjects considered as suitable for discussion were fairly brought forward, in the conference of the 9th ult. and the terms on which the United States were willing to conclude the peace, were frankly and expressly declared in the note of the undersigned dated the 29th ultimo.

The first demand is grounded on the supposition, that the American government has manifested, by its proceedings towards Spain, by the acquisition of Louisiana, by purchase of the Indians, and by an avowed intention of permanently annexing the Canada to the United States, a spirit of aggrandizement and conquest, which justifies the demand of extraordinary sacrifices from them, to provide for the security of the British possessions in America.

In the observations which the undersigned felt it their duty to make on the new demands of the British government, they confined their remonstrances to the nature of the demands themselves; they did not seek for illustrations of the policy of Great Britain in her conduct, in various quarters of the globe, towards other nations; for she was not accountable to the United States. Yet the undersigned will say, that their government has ever been ready to arrange, in the most amicable manner, with Spain, the questions respecting the boundaries of Louisiana and Florida; and that of Independence acknowledged by Spain due to American citizens. How the peaceable acquisition of Louisiana, or the purchase of lands within the acknowledged territories of the United States, both made by fair and voluntary treaties for satisfactory equivalents, can

be accounted for, in a spirit of candour, is owing to the undersigned, the undersigned are contented at a loss to understand.

Neither the conduct of Canada and its permanent settlements in the United States, been the declared object of this government. From the commencement of the war to the present time, the American government has been always willing to make peace, without obtaining any cession of territory, and on the sole condition that the maritime questions might be satisfactorily arranged. Such was their disposition in the month of July, 1812, when they instructed Mr. Russell to make the proposal of a truce, in the month of October, of the same year, when Mr. Monroe answered Admiral Warren's proposal to the same effect, in April, 1813, when instructions were given to three of the undersigned, then appointed to treat for peace, under the mediation of Russia, and in January, 1814, when the instructions under which the undersigned are now acting, were prepared.

The proposition of the British plenipotentiaries is, that, in order to secure the frontier of Canada against attack, the United States should leave their own without defence; and it seems to be forgotten, that if their superior population, and the proximity of their resources give them any advantage in that quarter, it is balanced by the great distance between the military establishments of the two nations. No sudden invasion of Canada by the United States could be made without leaving on their Atlantic shores, and on the ocean, exposed to the great superiority of the British force, a mass of American property far more valuable than Canada. In her relative superior force to that of the U. S. in every other quarter, Great Britain may find a pledge much more efficacious for the safety of a single vulnerable point, than stipulations ruinous to the interests and degrading to the honor of America. The best security for the possessions of both countries will however, be found in an equal and solid peace; in a mutual respect for the rights of each other, and in the cultivation of a friendly understanding between them. If there be any source of jealousy in relation to Canada itself, it will be found to exist solely in the undue interference of traders and agents, which may be easily removed by proper restraints.

The only American forts on the lakes known to have been held, at the commencement of the negotiation, held by British force, are Michilimackinac and Niagara. As the United States were, at the same time, in possession of Amherstburg and the adjacent country; it is not perceived that the mere occupation of those two forts could give any claim to his Britannic majesty to large cessions of territory, founded upon the right of conquest; and the undersigned may be permitted to add, that even if the chances of war should yield to the British arms a momentary possession of other parts of the territories of the United States, such events would not alter their views with regard to the terms of peace to which they would give their consent. Without recurring to examples drawn from the revolutionary governments of France, or to a more recent and illustrious triumph of fortitude and adversity, they have been taught by their own history that the occupation of their principal cities would produce no despondency, nor induce their submission to the dismemberment of their empire or to the abandonment of any one of the rights which constitute a part of their national independence.

The general position, that it was consistent with the principles of public law, and with the practice of civilized nations, to include allies in a treaty of peace, and to provide for their security, never was called in question by the undersigned. But they have denied the right of Great Britain, according to those principles, and to her own practice, to interfere in any manner with Indian tribes residing within the territories of the U. States, as acknowledged by herself, to consider such tribes as her allies, or to treat for them with the United States. They will not repeat the facts and arguments already brought forward in support of this position, and which remain unanswered. The observations made by the British plenipotentiaries on the treaty of Greenville, and their assertion that the United States now, for the first time, deny the absolute independence of the Indian tribes, and claim the exclusive right of purchasing their lands, requires, however some notice.

If the United States had now asserted, that the Indians within their boundaries, who have acknowledged the U. States as their only protectors, were their subjects, living only at sufferance on their lands, far from being the first in making that assertion, they would only have followed the example of the principles, uniformly and invariably asserted in substance, and frequently avowed in express terms, by the British government itself. What was the meaning of all the colonial charters granted by the British monarchy, from that of Virginia, by Elizabeth, to that of Georgia, by the immediate predecessor of the present king, if the Indians were the sovereigns and proprietors of the lands bestowed by those charters? What was the meaning of that article in the treaty of Utrecht, by which the five nations were described, in terms, as subject to the dominion of G. Britain? or that of the treaty with the Cherokees, by which it was declared, that the king of Great Britain granted them the privilege to live where they pleased, if those subjects were independent sovereigns, and if those tenants, at the license of the British king, were the rightful lords of the lands, where he granted them permission to live? What was the meaning of the proclamation of his present Britannic majesty issued in 1765, declaring all purchases of lands from the Indians null and void, unless made by treaties held under the sanction of his majesty's government, if the Indians had the right to sell their lands to whom they pleased? What was the meaning of boundary lines of American territories, in all the treaties of Great Britain, with other European powers having American possessions, particularly in the treaty of 1763, by which she acquired from France the sovereignty and possession of the Canadas, in her treaty of peace with the United States in 1783? or what is the meaning of the north western boundary line now proposed by the British Commissioners themselves, if it is the rightful possession and sovereignty of independent Indians, of which these boundaries dispose? Is it, indeed, necessary to ask, whether Great Britain ever has permitted, or would permit, any foreign nation, or without her consent, any of her subjects, to acquire lands from the Indians in the territories of the Hudson bay company, or in Canada? Is it forcibly protesting against this

system, it is not against a novel pretension of the American government, it is against the most ancient and established principles, against the royal proclamations, charters, and treaties of Great Britain, for more than two centuries, from the first settlement of North America to the present day, that the British plenipotentiaries protest.

From the report of this system, however, as prescribed by Great Britain, and all the other European powers in America, the humane and liberal policy of the United States has voluntarily relaxed. A celebrated writer on the laws of nations, to whose authority British jurists have taken particular satisfaction in appealing, after stating, in the most explicit manner, the legitimacy of colonial settlements in America, the exclusion of all rights of uncivilized Indian tribes, has taken occasion to praise the first settlers of New-England, and the founder of Pennsylvania, in having purchased of the Indians the lands they resolved to cultivate, notwithstanding their being furnished with a charter from their sovereign. It is this example, which the U. States, since they became, by their independence, the sovereigns of the territory, have adopted and organized into a political system. Under that system, the Indians residing within the United States are so far independent, that they live under their own customs, and not under the laws of the U. States; that their rights upon the lands where they inhabit, or hunt, are secured to them by boundaries defined in amicable treaties between the United States and themselves; and that whenever those boundaries are varied; it is also by amicable and voluntary treaties, by which they receive from the U. States ample compensation for every right they have to the lands ceded by them. They are so far dependent as not to have the right to dispose of their lands to any private persons, nor to any power other than the United States, and to be under their protection alone, and not under that of any other power. Whether called subjects, or by whatever name designated, such is the relation between them and the United States. That relation is neither asserted now for the first time, nor did it originate with the treaty of Greenville. Those principles have been uniformly recognized by the Indians themselves, not only by that treaty, but in all the other previous as well as subsequent treaties, between them and the United States.

The treaty of Greenville, neither took from the Indians the right, which they had not, of selling lands within the jurisdiction of the United States to foreign governments or subjects, nor ceded to them the right of exercising exclusive jurisdiction within the boundary line assigned. It was merely declaratory of the public law, in relation to the parties, founded on principles previously and universally recognized. It left to the United States the rights of exercising sovereignty and of acquiring soil, and bears no analogy to the proposition of G. Britain which requires the abandonment of both.

The British plenipotentiaries state in their last note, that Great Britain is ready to enter into the same engagement with respect to the Indians living within her line of demarcation, as that which is proposed to the United States. The undersigned will not dwell on the immense inequality of value between the two territories, which, under such an arrangement, would be assigned, by each nation, respectively, to the Indians, and which alone would make the reciprocity merely nominal. The condition which would be thus imposed on Great Britain not to acquire lands in Canada from the Indians, would be productive of no advantage to the United States, and is, therefore, no equivalent for the sacrifice required of them. They do not consider that it belongs to the U. States in any respect to interfere with the concerns of Great Britain in her American possessions, or with her policy towards the Indians residing there; and they cannot consent to any interference, on the part of G. Britain, with their own concerns, and particularly with the Indians living within their territories. It may be the interest of Great Britain to limit her settlements in Canada to their present extent, and to leave the country to the west a perpetual wilderness, to be forever inhabited by scattered tribes of hunters; but it would inflict a vital injury on the United States to have a line run through their territory, beyond which their settlements should forever be precluded from extending, thereby arresting the natural growth of their population and strength; placing the Indians substantially, by virtue of the proposed guarantee, under the protection of Great Britain; dooming them to perpetual barbarism, and leaving an extensive frontier forever exposed to their savage incursions.

With respect to the mere question of peace with the Indians, the undersigned have already explicitly assured the British plenipotentiaries, that so far as it depended on the United States, it would immediately and necessarily follow a peace with Great Britain. If this be her sole object, no provision in the treaty to that effect is necessary. Provided the Indians will now consent to a peace, it will immediately be made with them, and they will be reinstated in the same situation in which they stood before the commencement of hostilities. Should a continuance of the war compel the United States to alter their policy towards the Indians, who may still take the part of Great Britain, they alone must be responsible for the consequences of her own act in having induced them to withdraw themselves from the protection of the U. States. The employment of savages, whose known rule of warfare is the indiscriminate torture and butchery of women, children and widows, is itself a departure from the principles of humanity observed between all civilized and Christian nations, even in war.

The U. States have constantly protested, and still protest against it, as an unjustifiable aggravation of the calamities and horrors of war. Of the peculiar atrocities of Indian warfare, the allies of G. Britain, in whose behalf she now demands sacrifices of the U. States, have, during the present war, shown many a memorable example. Among them, the massacre, in cold blood, of wounded prisoners, and the refusal of the rights of burial to the dead, under the eyes of British officers, who could only plead their inability to control these savage auxiliaries, have been repeated and are notorious to the world. The U. States might, at all times, have employed the same kind of force against G. Britain, to a greater extent than was in her power to employ against them; but from the reluctance to resort to means so ignominious to the natural feelings of humanity, they abstained from the use of

them until compelled to the alternative of employing savages in it, because that war, to employ savages in it, however that it be infinitely more honorable to the humanity and Christian temper of both parties, more agreeable to the Indians themselves, and better calculated to secure their permanent peace, than any progressive civilization, than the boundary proposed by the British Plenipotentiaries.

With regard to the reason of a part of the district of Maine, to which the British Plenipotentiaries are unable to reconcile the objections made by the undersigned with their previous declaration, they have the honor to observe, that in the clause of the 5th ultimo, the British Plenipotentiaries stated, as one of the subjects suitable for discussion, a revision of the boundary line between the British and American territories, with a view to present equality and justice; and that it was the point thus stated, that the undersigned thought they were provided with instructions from your government; a declaration which did not mean that they were instructed to make any cession of territory in any quarter, or to enter into a revision of the line, or to any exchange of territory, with no uncertainty or dispute attached.

The undersigned perceive no uncertainty or matter of doubt in the treaty of 1783, with respect to that part of the boundary of the district of Maine, which would be affected by the proposal of G. Britain on that subject. They never have understood that the British Plenipotentiaries who signed that treaty, had contemplated a boundary different from that fixed by the treaty, and which requires nothing more, in order to be definitely ascertained, than to be surveyed in conformity with its provisions. The subject not having been a matter of uncertainty or dispute, the undersigned are not instructed upon it, and they can have no authority to cede any part of the state of Massachusetts, even for what the British government might consider a fair equivalent.

In regard to the boundary of the north western frontier, so soon as the proposition of Indian territory is disposed of, the undersigned have no objection, with the explanation given by the British Plenipotentiaries, in their last note, to discuss the subject.

The undersigned, in their former note, stated with frankness, and will now repeat, that the two propositions, 1st. of assigning in the proposed treaty of peace a definite boundary to the Indians, living within the limits of the U. States, beyond which boundary they should stipulate not to acquire, by purchase or otherwise, any territory; 2dly. of reserving the exclusive military possession of the Lakes to G. Britain, are both inadmissible; and that they cannot subscribe to, and would deem it useless to refer to their government any arrangement, even provisional, containing either of those propositions. With this understanding, the undersigned are now ready to continue the negotiations, and, as they have already expressed, to discuss all the points of difference, or which might otherwise tend in any degree to interrupt the harmony of the two countries.

(Documents continued on page 264.)

CONGRESS.

HOUSE OF REPRESENTATIVES.

Monday, December 12.

Mr. Eppes, of Vir. from the committee of Ways and Means, reported a bill to provide additional Revenue for defraying the expenses of the government and maintaining the public credit, by laying a direct tax upon the U. States, and to provide for assessing and collecting the same. Twice read and committed.

Mr. Eppes, from the committee of Ways and Means, to whom was referred the amendments of the Senate to the bill laying a duty on distilled spirits, made a report thereon. Several of the amendments having been agreed to.

The question was then stated on agreeing to that amendment of the Senate, which proposes to amend the section allowing distillers to sell any quantity not less than one gallon of the liquor they distil.

[The section thus proposed to be struck out of the bill was originally inserted, in the house, at the suggestion of Mr. Gholson of Va. who, with others, contended that the law, as it now stood, and a most inconvenient and even oppressive operation on the people in the particular part of the country in which he resided, many of whom did not distil to the quantity which they are by law allowed to dispose of, and who were now precluded from selling enough of the liquor they distil to enable them to pay the tax on it.]

The proposition to strike out this section was opposed by Mr. Chauncey and Mr. Eppes, Mr. W. Kea of Ky. Mr. Macon of N. C. Mr. Root of Ten. Mr. Pickens of N. C. and Mr. Ingraham of Pa. and supported by Mr. McKim of Md. Mr. Ward and Mr. John Reed of Mass. Mr. Elix of N. Y. and Mr. Pater.

The question on concurring in the amendment which goes to strike out this section, was decided in the negative by Yeas and Nays, which exhibited the following result.

For the amendment.

Against it.

All the amendments (this one excepted) were agreed to, and the bill returned to the Senate. Mr. Pearson of N. C. from the select committee to whom was referred the letter of Patrick Magruder, respecting the destruction of the Library and papers belonging to the office of the Clerk of the House of Representatives, made a report thereon, exhibiting a detailed view of the circumstances attending the loss of the Library, which the committee conceive might have been preserved in whole or in part. The report was ordered to be printed.

Tuesday, Dec. 13.

MILITIA DRAFTS.

The House resumed the consideration of the bill from the Senate, authorizing the President to call into service, 80,430 militia for the defence of the frontiers.

The motion of Mr. Wright to make the term of service seven months after arriving at the place of rendezvous, instead of one year as the bill now stands, being before the House—After debate the previous question was called for by Mr. Wright.