

# THE RALEIGH MINERVA.

[THREE DOLLARS PER YEAR.]

RALEIGH, N. C.—PUBLISHED (WEEKLY) BY LUCAS AND A. H. BOYLAN.

[FOR 25 CENTS IN ADVANCE.]

VOL. 17.

FRIDAY, NOVEMBER 20, 1812.

No. 868.

## Documents accompanying the President's Message to Congress.

LETTERS FROM MR. MONROE TO MR. RUSSELL, CHARGE DES AFFAIRES IN G. BRITAIN.

(Concluded.)

MR. GRAHAM TO MR. RUSSELL, Dated Department of State, August 10<sup>th</sup>, 1812.

SIR—Thinking that it may possibly be useful to you, I do myself the honor to enclose a memorandum of the conversation between Mr. Baker and myself, alluded to in my letter of yesterday's date. From a conversation with Mr. Baker since this memorandum was made, I find that I was correct in representing to the President that the intimation from Mr. Foster and the British authorities at Halifax was to be understood as connected with a suspension of hostilities on the frontiers of Canada. I have the honor, &c.

(Signed) JOHN GRAHAM.

Memorandum referred to in the above letter.

Mr. Baker verbally communicated to me for the information of the President, that he had received despatches from his government addressed to Mr. Foster, dated (I believe, about the 17<sup>th</sup> June) from which he was authorised to say, that an official declaration would be sent to this country, that the orders in council, so far as they affected the U. States would be repealed on the first Aug. to be revived on the first of May 1813 unless the conduct of the French government and the result of the communications with the American government should be such as, in the opinion of His Majesty, to render their revival unnecessary. Mr. Baker moreover stated, that the orders would be revived, provided the American government did not, within fourteen days after they received the official declaration of their repeal, admit British armed vessels into their ports, and put an end to the restrictive measures which had grown out of the orders in council.

The despatches authorising this communication to the American government expressly directed that it should be made verbally, and Mr. Baker did not consider him-self at liberty to reduce it to writing, even in the form of a note verbal, or promemoria, or to suffer me to take a memorandum of his communication at the time he made it. I understood from him, that the despatches had been opened by Mr. Foster at Halifax, who, in consequence of a conversation he had had with Vice-Admiral Sawyer and Sir John Sherbrooke, had authorised Mr. Baker to say, that these gentlemen would agree, as a measure leading to a suspension of hostilities, that all captures made after a day to be fixed, should not be proceeded against immediately, but be detained to await the future decision of the two governments. Mr. Foster had not seen Sir George Prevost, but had written to him by express, and did not doubt but that he would agree to an arrangement for the temporary suspension of hostilities. Mr. Baker also stated that he had received an authority from Mr. Foster to act as charge des affaires, proved the American Government would receive him in that character, for the purpose of enabling him officially to communicate the declaration which was to be expected from the British Government; his functions to be understood, of course as ceasing on the renewal of hostilities. I replied, that although to so general and informal a communication, no answer might be necessary, and certainly no particular answer expected, yet I was authorised to say that the communication is received with sincere satisfaction, as it is hoped that the spirit in which it was authorised by his government may lead to such further communications as will open the way, not only for an early and satisfactory termination of existing hostilities, but to that entire adjustment of all the differences which produced them, and that permanent peace and solid friendship which ought to be mutually desired by both countries and which is sincerely desired by this. With this desire, an authority was given to Mr. Russell on the subject of an armistice as introductory to a final pacification, as has been made known to Mr. Foster, and the same desire will be felt on the receipt of the further and more particular communications which are shortly to be expected which respect to the joint intimation from Mr. Foster and the British authorities at Halifax on the subject of suspending judicial proceedings in the case of maritime captures, to be accompanied by a suspension of military operations. The authority given to Mr. Russell just alluded to, and of which Mr. Foster was the bearer, is full proof of the solicitude of the government of the United States to bring about a general suspension of hostilities on admissible terms, with as little delay as possible. It was not to be doubted, therefore, that any other practicable expedient for attaining a similar result would readily be concurred in. Upon the most favorable consideration, however, which could be given to the expedient suggested through him, it did not appear to be reducible to any practicable shape to which the Executive would be authorised to give it the necessary sanction, nor indeed is it probable that if it was less liable to insuperable difficulties, that it could have any material effect previous to the result of the pacific advance made by this government and which must, if favorably received, become operative as soon as any other.

THE SECRETARY OF STATE TO MR. RUSSELL, Dated Department of State, August 21, 1812.

[EXTRACT.]

My last letter to you was of the 27<sup>th</sup> July, and was forwarded by the British packet, the Althea

under the special protection of Mr. Baker. The object of that letter, and of the next preceding one of the 26<sup>th</sup> of June, was, to invest you with power to suspend by an armistice, on such fair conditions as it was presumed could not be rejected, the operation of the war, which had been brought on the United States by the injustice and violence of the British government. At the moment of the declaration of war, the president, regretting the necessity which produced it, looked to its termination and provided for it, and happy will it be for both countries, if the disposition felt, and the advance thus made on his part, are entertained and met by the British government in a similar spirit.

You have been informed by Mr. Graham of what passed in my late absence from the city, in an interview between Mr. Baker and him, in consequence of a despatch from the British government to Mr. Foster, received at Halifax, just before he sailed for England, and transmitted by him to Mr. Baker, relating to a proposed suspension or repeal of the British orders in council: You will have seen by the note forwarded to you by Mr. Graham, of Mr. Baker's communication to him, that Mr. Foster had authorised him to state, that the commanders of the British forces at Halifax would agree to a suspension, after a day to be fixed, of the condemnation of prizes, to await the decision of both governments, without however preventing captures on either side. It appears also, that Mr. Foster had promised to communicate with Sir George Prevost, and to advise him to propose to our government an armistice.

Sir George Prevost has since proposed to Gen. Dearborn, at the suggestion of Mr. Foster, a suspension of offensive operations by land, in a letter which was transmitted by the general to the secretary at war. A provisional agreement was entered into between general Dearborn and Colonel Baynes, the British adjutant-general, bearer of general Prevost's letter, that neither party should act offensively, before the decision of our government should be taken on the subject.

Since my return to Washington, the document alluded to in Mr. Foster's despatch, as finally decided on by the British government, has been handed to me by Mr. Baker, with a remark, that its authenticity might be relied on. Mr. Baker added, that it was not improbable, that the admiral at Halifax might agree likewise to a suspension of captures, though he did not profess or appear to be acquainted with his sentiments on that point.

On full consideration of all the circumstances which merit attention, the president regrets that it is not in his power to accede to the proposed arrangement. The following are among the principal reasons which have produced this decision.

1st. The President has no power to suspend judicial proceedings on prizes. A capture, if lawful, vests a right, over which he has no control. Nor could he prevent captures otherwise than by an indiscriminate recall of the commissions granted to our privateers, which he could not justify under existing circumstances.

2d. The proposition is not made by the British government, nor is there any certainty that it would be approved by it. The proposed arrangement, if acceded to, might not be observed by the British officers themselves, if their government, in consequence of the war, should give them instructions of a different character, even if they were given without a knowledge of the arrangement.

3d. No security is given, or proposed, as to the Indians, nor could any be relied on. They have engaged in the war on the side of the British government, and are now prosecuting it with vigor, in their usual savage mode. They can only be restrained by force, when once let loose, and that force has already been ordered out for the purpose.

4th. The proposition is not reciprocal, because it restrains the United States from acting where their power is greatest, and leaves Great Britain at liberty, and gives her time to augment her forces in our neighborhood.

5th. That as a principal object of the war is to obtain redress against the British practice of impressment, an agreement to suspend hostilities, even before the British Government is heard from on that subject, might be considered a relinquishment of that claim.

6th. It is the more objectionable, and of the less importance, in consideration of the instructions heretofore given you, which, if met by the British Government, may have already produced the same result in a greater extent and more satisfactory form.

I might add, that the declaration itself is objectionable in many respects, particularly the following. 1st. because it asserts a right in the British Government to restore the Orders in Council, or any part thereof, to their full effect on a principle of retaliation on France, under circumstances of which she alone is to judge; a right which this government cannot admit, especially in the extent heretofore claimed, and acted on by the British Government.

2nd. That the repeal is founded exclusively on the French decree of 28<sup>th</sup> of April 1811, by which the repeal of the Decrees of Berlin and Milan, announced on the 5<sup>th</sup> August 1810, to take effect on the first of November of that year, at which time their operation actually ceased, is disregarded, as are the claims of the United States arising from the repeal on that day, even according to the British pledge.

3rd. That even if the United States had no right to claim the repeal of the British orders in council prior to the French Decree of the 28<sup>th</sup> April 1811, nor before the notification of that decree to the British Government on the 20<sup>th</sup> of May, of the present year, the British repeal ought

to have borne date from that day, and been subject to none of the limitations attached to it.

These remarks on the declaration of the Prince Regent, which are not pursued with rigour, nor in the full extent which they might be, are applicable to it, in relation to the state of things which existed before the determination of the United States to resist the aggressions of the British Government by war. By that determination the relations between the two countries have been altogether changed, and it is only by a termination of the war, or by measures leading to it by consent of both governments, that its calamities can be closed or mitigated. It is not now a question whether the declaration of the Prince Regent is such as ought to have produced a repeal of the non importation act, had war not been declared, because the declaration of war, that question is superceded, and the non importation act having been continued in force by Congress, and become a measure of war, and among the most efficient, it is no longer subject to the controul of the executive in the sense, and for the purpose for which it was adopted.

The declaration however, of the Prince Regent will not be without effect. By repealing the Orders in Council without reviving the blockade of May 1806, or any other illegal blockade, as is understood to be the case, it removes a great obstacle to an accommodation. The President considers it an indication of a disposition in the British Government to accommodate the differences which subsist between the countries, and I am instructed to assure you, that, if such disposition really exists, and is persevered in, and is extended to other objects, especially the important one of impressment, a durable and happy peace and reconciliation cannot fail to result from it.

## BRITISH OFFICIAL ACCOUNT OF THE BATTLE AT QUEENSTOWN.

The following general orders, giving an account of the attack made by the Americans upon the heights of Queenstown, &c. are from the Montreal Herald Extra, of Oct. 21.

ADJUTANT GENERAL'S OFFICE, Head Quarters, Montreal, Oct. 21.

GENERAL ORDERS.

His excellency the commander of the forces, has received an official report from maj. gen. Sheaffe, of the brilliant victory achieved on the 15<sup>th</sup> inst by a portion of the troops under his command, over a division of the enemy's army, which effected a landing at Queenstown, under cover of the night. This part was nevertheless defended with undaunted gallantry by the two staff companies of the 49<sup>th</sup> regt. animated by the presence of their gallant and ever to be lamented chief maj. gen. Bock, whose valuable life was, on the occasion, devoted to his country's service. These companies displayed exemplary discipline and spirit, although the captains of both were wounded, and succeeded in keeping the enemy in check, until the arrival of maj. gen. Sheaffe with reinforcements.

The disposition of the forces and plan of attack adopted by maj. gen. Sheaffe, cannot receive a higher or more just praise, than by stating that nine hundred prisoners of war, under the command of brig. gen. Wadsworth, surrendered their arms to a force inferior in numbers, and without sustaining any considerable loss on our part.

A six pounder and a stand of colours have been taken from the enemy.

Maj. gen. Sheaffe's report of the zeal and undaunted gallantry that animated every officer and soldier of his army, affords the commander of the forces the most heartfelt satisfaction, and will be a most gratifying duty to his excellency to bring before the notice of his royal highness the prince regent.

Lieut. col. Myers, deputy quarter master general, was stationed in charge of Fort Erie, and succeeded in completely silencing the fire of the enemy, drove a detachment from the encampment near the Black Rock, destroyed a barrack, in which was a considerable depot of ammunition. Its explosion must have killed many. The Caledonia lately captured by the enemy, was destroyed at her moorings. Lieut. col. Myers speaks highly of the discipline of the detachment of the 49<sup>th</sup> regiment, under maj. Ormsby, and of the skill and spirit with which the guns were served, under captain Kirby and Lieut. Bisson of the militia.

Essential service was rendered by brig. major Evans, left in charge of Fort George—a well directed fire from that work succeeded in silencing the enemy's batteries on the opposite side. Captain Vigoreux, Royal Engineers, col. Claus and captains Powell and Cameron of the militia were zealous and indefatigable in their exertions, particularly in extinguishing fires which broke out in the court house and other places from red hot shot fired by the enemy.

## Legislature of North-Carolina.

### GOVERNOR'S MESSAGE.

At 12 o'clock on Wednesday the following message from his Excellency the Governor, was communicated to the legislature, by his private secretary, Mr. Sneed.

GENTLEMEN;

IT exhibits a pleasing spectacle in ordinary times to behold the Representatives of the Freemen of this state assembled for the purpose of devising and adopting such measures as may seem best calculated to promote the happiness and general welfare of their Constituents. If such is the case when peace and tranquility prevail, how much more interesting must it be to behold them convened in their Legis-

lative capacity, at a period when our country is called upon to maintain, at the point of the bayonet, her Rights, Liberty and Independence. Your situation, Gentlemen, exhibits the latter.

An official communication from the Secretary of State of the United States reached my Office on the 23<sup>d</sup> of June last, announcing the declaration of war by the constituted authorities of the Nation, against the kingdom of Great Britain and its Dependencies. The insolence, the injustice, and the complicated aggressions on the part of that nation against the United States, not only afforded our government abundant cause of an appeal to arms long before the period when that event took place, but seemed in the most commanding terms to call for the adoption of that alternative, in order to convince the enemy and the world that we possessed the will and the power to maintain and defend that Liberty and Independence which emanated from, and was secured to us by, the glorious struggles of our Revolutionary fathers. Although our government must have been fully sensible that her reiterated attempts to bring about an amicable adjustment of the differences subsisting between the two nations, would be considered as arising from a want of courage to vindicate her violated rights, by a recourse to arms; yet actuated by a love of peace, one of the most prominent features of her character, she had the firmness to persist in trying every experiment which seemed to promise the attainment of that desirable object. The overtures on the part of our government had been uniformly made on principles the most just and equitable, but the British Cabinet by not listening to them, had manifested their determination not to accede to any propositions that were not consonant to what they were pleased to term the rights and privileges of the British nation, in contradistinction to the established rights, and incompatible with the safety of Independent Nations. The indulgence extended to that nation was carried to a dangerous and almost inadmissible length while the leading circumstances which characterized the reiterated abuses of the moderation of our government, were each of them of a nature to have exhausted any less settled system of forbearance. All attempts at negotiation having finally proved unsuccessful, and degradation staring us full in the face, the unavoidable alternative was matter of the deepest regret, and a disappointment to our sanguine expectations for the restoration of friendship and a good understanding between the two countries.— Thus situated, either disgracefully to submit to British insolence, injustice and aggressions, and perhaps finally to the British yoke; or, boldly to appeal to arms to avert the degradation which hovered over us, to redress our wrongs, and to place our national character, sovereignty and independence upon a basis not to be shaken, the constituted authorities of the nation would not have acted in consonance with the high sentiments of the American people, if they had abandoned themselves to a direct confession of the inability of our country to maintain the honour, dignity and exalted rank which she holds among the great nations of the world: But animated by kindred sentiments with those which pervaded their injured and insulted constituents, after having without success exhausted all resources, in order to preserve peace upon honourable terms, they with manly firmness embraced the last resort—an appeal to arms, to rescue their country from impending disgrace and ruin.

When we reflect that the war in which we are at present engaged has not, in any degree, been provoked on our part;—that all our offers to conciliate, so far from having the contemplated and desirable tendency to produce peace had the effect to stimulate the British government to fresh acts of unprovoked hostility;—and, in fine, when we reflect that in pursuing the course which had been marked out by our forbearance, we had reached the brink of degradation, and that by advancing one step farther our national character would have been plunged into irretrievable disgrace, our feelings irresistibly prompt us to admit, that the declaration of war on our part, was not only justifiable but indispensably necessary for the maintenance of the honour, dignity, and independence of our country.

A war founded in justice, and having for its object the preservation of the character and sovereign rights of the United States, imposes an obligation on all the Departments of the General and State Governments, and indeed on the whole American people, to afford it their vigorous and effective support. It is your province, Gentlemen, as the most efficient branch of our state government, to devise and adopt such measures as to you may seem best calculated to give energy to the constituted authorities of the nation, to mitigate the evils of war to our own citizens, to render it effectual against the enemy, and to bring it to a just, speedy and honourable conclusion. *Unanimity & vigor* are so essentially connected with the accomplishment of those objects, that without them the best concerted plans may be frustrated, the arm of government paralyzed, and the most disgraceful and ruinous consequences result to our national liberty. Therefore, permit me, earnestly to entreat you, at this important crisis, to consign to oblivion party distinctions—to banish from your walls those party heats and animosities which have unfortunately so long existed in our country, which if cherished at times like the present, may endanger the fundamental principles of our political existence, and render us an easy prey to a contemptible enemy; and as the Representatives of a free people contending for their sacred rights and privileges, to support with unanimity such measures as may seem meet and necessary for the defence and security of those inestimable blessings. United—we have nothing to fear from our enemies. Divided—all is at hazard. Notwithstanding there may have existed a difference of opinion as to the propriety of the declaration of war, at the time when that event took place, yet, as that no longer remains a question of policy, and as