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WASHINGTON CITY, JUNE 18, 1812.

The Committee on Foreign Relations to
which was referred the Message of the
President of the United States of the 1st
of June, 1812.

REPORT:

After the experience which the United States have had of the great injustice of the British government towards them, and oppressed by so many acts of violence and oppression, it will be more difficult to justify to the impartial world their patient forbearance, than the measures to which it has become necessary to resort, to avenge the wrongs, and vindicate the rights and honor of the nation. Your committee are happy to observe, on a dispassionate review of the conduct of the United States, that they see in it no cause for censure.

If long forbearance under injuries ought ever to be considered a virtue in any nation, it is one which peculiarly becomes the United States. No people ever had stronger motives to cherish peace; none have ever cherished it with greater sincerity & zeal.

But the period has now arrived, when the United States must support their character and station among the nations of the earth, or submit to the most shameful degradation.—Forbearance has ceased to be a virtue. War on the one side, and peace on the other, is a situation as ruinous as it is disgraceful. The mad ambition, the lust of power, and commercial avarice of Great Britain, arrogating to herself the complete dominion of the Ocean, and exercising over it an unbounded and lawless tyranny, have left to neutral nations an alternative only, between the base surrender of their rights, and a manly vindication of them. Happily for the United States, their destiny, under the aid of Heaven, is in their own hands. The crisis is formidable only by their love of peace. As soon as it becomes a duty to relinquish that situation, danger disappears. They have suffered no wrongs, they have received no insults, however great, for which they cannot obtain redress.

More than seven years have elapsed, since the commencement of this system of hostile aggression by the British government, on the rights and interests of the United States.—The manner of its commencement was not less hostile, than the spirit with which it has been prosecuted. The U. States have invariably done every thing in their power to preserve the relations of friendship with Great Britain. Of this disposition they gave a distinguished proof, at the moment when they were made the victims of an opposite policy. The wrongs of the last war had not been forgotten at the commencement of the present one.—They warned us of dangers, against which it was sought to provide. As early as the year 1804, the Minister of the U. States at London was instructed, to invite the British government to enter into a negotiation on all the points on which a collision might arise between the two countries, in the course of the war, and to propose to it an arrangement of their claims on fair and reasonable conditions. The invitation was accepted.—A negotiation had commenced and was depending, and nothing had occurred to excite a doubt that it would not terminate to the satisfaction of both the parties.—It was at this time, and under these circumstances, that an attack was made, by surprise, on an important branch of the American commerce, which affected every part of the United States, and involved many of their citizens in ruin.

The commerce on which this attack was unexpectedly made, was between the United States and the colonies of France, Spain, and other enemies of Great Britain. A commerce just in itself; sanctioned by the example of Great Britain in regard to her trade with her own colonies; sanctioned by a solemn act between the two governments in the last war; and sanctioned by the practice of the British government in the present war, more than two years having then elapsed, without any interference with it.

The injustice of this attack could only be equalled by the absurdity of the pretext

alleged for it. It was pretended by the British government, that in case of war, her enemy had no right to modify its colonial regulations, so as to mitigate the calamities of war to the inhabitants of its colonies. This pretension, peculiar to Great Britain, is utterly incompatible with the rights of sovereignty in every independent state. If we recur to the well established and universally admitted law of nations, we shall find no sanction to it, in that venerable code. The sovereignty of every state is co-extensive with its dominions, and cannot be abrogated, or curtailed in its rights, as to any part, except by conquest. Neutral nations have a right to trade to every port of either belligerent, which is not legally blockaded; and in all articles which are not contraband of war. Such is the absurdity of this pretension, that your committee are aware, especially after the able manner in which it has been heretofore refuted, and exposed, that they would offer an insult to the understanding of the House, if they enlarged on it, and if any thing could add to the high sense of the injustice of the British government in the transaction, it would be the contrast which her conduct exhibits in regard to this trade, and in regard to a similar trade by neutrals with her own colonies. It is known to the world, that Great Britain regulates her own trade, in war and in peace, at home and in her colonies, as she finds for her interest—that in war she relaxes the restraints of her colonial system in favor of the colonies, and that it never was suggested that she had not a right to do it; or that a neutral in taking advantage of the relaxation violated a belligerent right of her enemy. But with Great Britain every thing is lawful. It is only in a trade with her enemies that the United States can do wrong. With them all trade is unlawful.

In the year 1793 an attack was made by the British government on the same branch of our neutral trade, which had nearly involved the two countries in war. That difference, however, was amicably accommodated. The pretension was withdrawn and reparation made to the U. States for the losses which they had suffered by it. It was fair to infer from that arrangement that the commerce was deemed by the British government lawful, and that it would not be again disturbed.

Had the British government been resolved to contest this trade with neutrals, it was due to the character of the British nation that the decision should be made known to the government of the United States. The existence of a negotiation which had been invited by our government, for the purpose of preventing differences by an amicable arrangement of their respective pretensions, gave a strong claim to the notification, while it afforded the fairest opportunity for it. But a very different policy animated the then Cabinet of England. The liberal confidence and friendly overtures of the United States were taken advantage of to ensnare them. Steady to its purpose, and inflexibly hostile to this country, the British government calmly looked forward to the moment, when it might give the most deadly wound to our interests. A trade just in itself, which was secured by so many strong and sacred pledges, was considered safe. Our citizens with their usual industry and enterprise had embarked in it a vast proportion of their shipping, and of their capital which were at sea under no other protection than the law of nations, and the confidence which they reposed in the justice & friendship of the British nation. At this period the unexpected blow was given. Many of our vessels were seized, carried into port, and condemned by a tribunal, which while it professes to respect the law of nations, obey the mandates of its own government. Hundreds of other vessels were driven from the ocean, and the trade itself in a great measure suppressed. The effect produced by his attack on the lawful commerce of the United States was such as might have been expected from a virtuous independent and highly injured people. But one sentiment pervaded the whole American nation. No local interests were regarded; no sordid motives felt. Without looking to the parts which suffered most, the invasion of our rights was considered a common cause, and from one extremity of our Union to the other, was heard the voice of an united people, calling on their government to avenge their wrongs and vindicate the rights and honor of the country.

From this period the British government has gone on in a continued encroach-

ment on the rights and interests of the United States, disregarding in its course, in many instances, obligations which have heretofore been held sacred by civilized nations.

In May, 1805, the whole coast of the continent from the Elbe to Brest inclusive was declared to be in a state of blockade. By this act the well established principles of the law of nations, principles which have served for ages as guides, and fixed the boundary between the rights of belligerents and neutrals, were violated: By the law of nations, as recognized by Great Britain herself, no blockade is lawful, unless it be sustained by the application of an adequate force, and that an adequate force was applied to this blockade, in its full extent, ought not to be pretended. Whether Great Britain was able to maintain, legally, so extensive a blockade, considering the war in which she is engaged, requiring such extensive naval operations, is a question which it is not necessary at this time to examine. It is sufficient to be known, that such force was not applied, and this is evident from the terms of the blockade itself, by which, comparatively, an inconsiderable portion of the coast only was declared to be in a state of *strict and rigorous blockade*. The objection to the measure is not diminished by that circumstance. If the force was not applied, the blockade was unlawful from whatever cause the failure might proceed. The belligerent who institutes the blockade cannot absolve itself from the obligation to apply the force under any pretext whatever. For a belligerent to relax a blockade, which it could not maintain, it would be a refinement in justice, not less insulting to the understanding than repugnant to the law of nations. To claim merit for the mitigation of an evil, which the party either had not the power or found it inconvenient to inflict, would be a new mode of encroaching on neutral rights.—Your committee think it just to remark that this act of the British government does not appear to have been adopted in the sense in which it has since been construed. On consideration of all the circumstances attending the measure and particularly the character of the distinguished statesman who announced it, we are persuaded that it was conceived in a spirit of conciliation and intended to lead to an accommodation of all differences between the United States and Great Britain. His death disappointed that hope, and the act has since become subservient to other purposes. It has been made by his successors a pretext for that vast system of usurpation, which has so long oppressed and harassed our commerce.

The next act of the British government which claims our attention is the order of council of January 7, 1807, by which neutral powers are prohibited trading from one port to another of France or her allies, or any other country with which Great Britain might not freely trade. By this order the pretension of England, heretofore claimed by every other power, to prohibit neutrals disposing of parts of their cargoes at different ports of the same enemy, is revived and with vast accumulation of injury. Every enemy, however great the number or distant from each other, is considered one, and the like trade even with powers at peace with England, who from motives of policy had excluded or restrained her commerce, was also prohibited. In this act the British government evidently disclaimed all regard for neutral rights. Aware that the measure authorized by it could find no pretext in any belligerent right, once was urged. To prohibit the sale of our produce, consisting of innocent articles at any port of a belligerent, not blockaded, to consider every belligerent as one, and subject neutrals to the same restraints with all, as if there was but one, were bold encroachments. But to restrain or in any manner interfere with our commerce with neutral nations with whom Great Britain was at peace, and against whom she had no justifiable cause of war, for the sole reason, that they restrained or excluded from their ports her commerce, was utterly incompatible with the pacific relations subsisting between the two countries.

We proceed to bring into view the British Order in Council of November 11th, 1807, which superseded every other order, and consummated that system of hostility on the commerce of the United States which has been since so steadily pursued. By this order all France and her allies and every other country at war with Great Britain, or with which she was not at war,

from which the British flag was excluded and all the colonies of her enemies, were subjected to the same restrictions as if they were actually blockaded in the most strict and rigorous manner, and all trade in articles the produce and manufacture of the said countries and colonies and the vessels engaged in it were subjected to capture & condemnation as lawful prize. To this order certain exceptions were made which we forbear to notice, because they were not adopted from a regard to neutral rights, but were dictated by policy to promote the commerce of England, and so far as they related to neutral powers, were said to emanate from the clemency of the British government.

It would be superfluous in your committee to state, that by this order the British government declared direct and positive war against the United States. The dominion of the ocean was completely usurped by it, all commerce forbidden and every flag driven from it or subjected to capture and condemnation, which did not subserve the policy of the British government by paying it a tribute and sailing under its sanction. From this period the United States have incurred the heaviest losses and most mortifying humiliations. They have borne the calamities of war without retorting them on its authors.

So far your committee has presented to the view of the House the aggressions which have been committed under the authority of the British government on the commerce of the United States. We will now proceed to other wrongs which have been still more severely felt. Among these is the impressment of our seamen, a practice which she has been a party since our revolution. Your committee cannot convey in adequate terms the deep sense which they entertain of the injustice and oppression of this proceeding. Under the pretext of impressing British seamen, our fellow citizens are seized in British ports, on the high seas, and in every other quarter to which the British power extends are taken on board British men of war and compelled to serve there as British subjects. In this mode our citizens are wantonly snatched from their country and their families, deprived of their liberty and doomed to an ignominious and slavish bondage, compelled to fight the battle of a foreign country and often to perish in them. Our flag has given them no protection; it has been unceasingly violated and our vessels exposed to danger by the loss of the men taken from them. Your committee need not remark that while the practice is continued, it is impossible for the United States to consider themselves an independent nation. Ever new case is a new proof of their degradation. Its continuance is the more unjustifiable because the United States have repeatedly proposed to the British government an arrangement which would secure to it the control of its own people. An exemption of the citizens of the United States from this degrading oppression and their flag from violation, is all that they have sought.

This lawless waste of our trade and equally un lawful impressment of our seamen, have been much aggravated by the insults and indignities attending them. Under the pretext of blockading the harbors of France and her allies, British squadrons have been stationed on our coast, to watch and annoy our own trade. To give effect to the blockade of European ports, the ports and harbors of the United States have been blockaded. In executing these orders of the British government, or in obeying the spirit which was known to animate it, the commanders of these squadrons have encroached on our jurisdiction, seized our vessels, and carried into effect impressments within our limits, and done other acts of great injustice, violence and oppression. The United States have seen, with mingled indignation and surpris, that these acts, instead of procuring to the perpetrators the punishment due to unauthorized crimes, have not failed to recommend them to the favor of their government.

Whether the British government has contributed by active measures to excite against us the hostility of the Savage tribes on our frontiers, your committee are not disposed to occupy much time in investigating. Certain indications of general notoriety may supply the place of authentic documents; though these have not been wanting to establish the fact in some instances. It is known that symptoms of British hostility towards the United States have never failed to produce corresponding