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DOCUMENTS.

Accompanying the President's Message to Congress.

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

Extract of a letter from Mr. Monroe to Mr. Russell, dated

JUNE 26th, 1812.

This letter is committed to Mr. Foster, who has promised to deliver it to you in safety.

On the 18th of this month a declaration of war against Great Britain passed Congress. I send you a copy of the act, of the President's message, and of the report of the Committee of Foreign Relations, which brought the subject under consideration.

This measure has been produced by the continued aggressions of the British government on the rights of the United States, and the presumption arising from that and other facts, which it is unnecessary to repeat, that no favorable change of policy might be expected from it. It was impossible for the United States to surrender their rights, by relinquishing the ground which they had taken, and it was equally incompatible with their interests and character to rely longer on measures which had failed to accomplish their objects. War was the only remaining alternative, and that fact being clearly ascertained, you will find by the documents transmitted that it was adopted with decision.

As war has been resorted to from necessity, and of course with reluctance, this government looks forward to the restoration of peace with much interest, and a sincere desire to promote it on conditions, just, equal and honorable to both the parties. It is in the power of Great Britain to terminate the war on such conditions, and it would be very satisfactory to the President to meet it in arrangements to that effect.

Although there are many just and weighty causes of complaint against Great Britain, you will perceive, by the documents transmitted, that the orders in council, and other blockades, illegal, according to the principles lately acknowledged, and the impressment of our seamen, are considered to be of the highest importance. If the orders in council are repealed, and no illegal blockades are substituted to them, and orders are given to discontinue the impressment of seamen from our vessels, and to restore those already impressed, there is no reason why hostilities should not immediately cease. Securing these objects, you are authorized to stipulate an armistice, to commence from the signature of the instrument providing for it, or at the end of fifty or sixty days, or other the shortest term that the British government will consent to. Definitive arrangements will be made on these and every other difference by a treaty, to be concluded either here or at London, though it is much desired that the subject should be entered on in this city.

As an inducement to the British government to discontinue the practice of impressment from our vessels, you may give assurance that a law will be passed (to be reciprocal) to prohibit the employment of British seamen in the public or commercial service of the United States. There can be no doubt that such an arrangement would prove much more efficacious in securing to Great Britain her seamen, than the practice to which it is proposed to be a substitute, independent of all the other objections to it.

Indemnity for injuries received under the orders in council, and other edicts violating our rights, seems to be incident to their repeal; but the President is willing that the consideration of that claim should not be pressed at this time, so as to interfere with the preliminary arrangement alluded to. It will be proper to bring it in to show merely to shew that it is expected that provision will be made for it in the treaty which is to follow. Every other injury may also be provided for at the same time.

It is hoped that the British government will find it consistent with its interest and

honor, to terminate the war by an armistice in the manner and on the conditions proposed. In so doing, it will abandon no right, it will sacrifice no interest; it will abstain only from violating our rights, and, in return, it will restore peace with the power from whom, in a friendly commercial intercourse, so many advantages will be derived, not to mention the injuries which cannot fail to result from a prosecution of the war."

MR. MONROE TO MR. RUSSELL.

dated Department of State,

July 27, 1812.

SIR—I wrote you on the 26th of June, by Mr. Foster, a letter which he promised to deliver to you in person or by a safe hand.

In that letter you were informed, that the orders in council and other illegal blockades, and the impressment of our seamen by Great Britain, as you well knew before, were the principal causes of the war, and that if they were removed, you might stipulate an armistice, leaving them and all other grounds of difference, for final and more precise adjustment by treaty. As an inducement to the British government to discontinue the practice of impressment from our vessels, by which alone our seamen can be made secure, you were authorized to stipulate a prohibition by law, to be reciprocal, of the employment of British seamen in the public or commercial service of the United States. As such an arrangement, which might be made completely effectual and satisfactory by suitable regulations and penalties, would operate almost exclusively in favor of Great Britain, for as few of our seamen ever enter voluntarily into the British service, the reciprocity would be nominal; its advantage to Great Britain would be more than an equivalent for any she derives from impressment, which alone ought to induce her to abandon the practice, if she had no other motive for it. A stipulation to prohibit by law the employment of British seamen in the service of the United States, is to be understood in the sense and spirit of our constitution. The passage of such a law must depend of course on Congress, who, it might reasonably be presumed, might give effect to it.

By authorising you to secure these objects as the grounds of an armistice, it was not intended to restrict you to any precise form in which it should be done. It is not particularly necessary that the several points should be specially provided for in the convention stipulating the armistice. A clear and distinct understanding with the British government on the subject of impressment, comprising in it the discharge of men already impressed, and on future blockades, if the orders in council are revoked, is all that is indispensable. The orders in council being revoked, and the proposed understanding on the other points, that is, on blockades and impressment, being first obtained, in a manner, though informal, to admit of no mistake or disagreement hereafter, the instrument providing for the armistice may assume a general form, especially if more agreeable to the British government. It may for example be said in general terms, "that both powers being sincerely desirous to terminate the differences which unhappily subsist between them, and equally so, that full time should be given for the adjustment thereof, agree, 1st, that an armistice shall take place for that purpose to commence on the day of

"2. That they will forthwith appoint on each side commissioners with full power to form a treaty, which shall provide, by reciprocal arrangements, for the security of their seamen from being taken or employed in the service of the other power, or the regulation of their commerce, and all other interesting questions now depending between them.

"3. The armistice shall not cease without a previous notice by one to the other party of days, and shall not be understood as having other effect than merely to suspend military operations by land and by sea."

By this you will perceive that the President is desirous of removing every obstacle to an accommodation which consists merely of form, securing in a safe and satisfactory manner the rights and interests of the United States in these two great and essential circumstances, as it is presumed may be accomplished by the proposed understanding; he is willing that it be done in a manner the most satisfactory and hono-

rable to Great Britain, as well as to the United States.

I have the honor to be, &c.

(Signed) JAS. MONROE.

MR. GRAHAM TO MR. RUSSELL.

Dated Department of State, August 9th, 1812.

SIR—The Secretary left this city about ten days ago on a short visit to Virginia. Since that period Mr. Baker has, in consequence of some dispatches from his government addressed to Mr. Foster, made to me a communication respecting the intentions of his government as regards the orders in council. It was of a character, however, so entirely informal and confidential that Mr. Baker did not feel himself at liberty to make it in the form of a note verbal or pro memoria, or even to permit me to take a memorandum of it at the time he made it. As it authorises an expectation that something more precise and definite, in an official form, may soon be received by this government, it is the less necessary that I should go into an explanation of the views of the President in relation to it, more particularly as the Secretary of State is daily expected and will be able to do it in a manner more satisfactory.

I refer you to the enclosed papers for information as to the maritime and military movements incident to the war, and will add, that the President is anxious to know as soon as possible the result of the proposals you were authorized to make to the British government respecting an armistice. He considers them so fair and reasonable, that he cannot but hope that they will be acceded to, and thus be the means of hastening an honorable and permanent peace.

I have the honor to be, &c.

(Signed) JOHN GRAHAM.

MR. GRAHAM TO MR. RUSSELL.

Dated Department of State, August 10th, 1812.

SIR—Thinking that it may possibly be desirable 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 17th June) from which he was authorized to say, that an official declaration would be sent to this country, that the orders in council, so far as they affected the United States, would be repealed on the 1st Aug. to be revived on the 1st 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 revoked, 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 himself at liberty to reduce it to writing, even in the form of a note verbal, or pro memoria, or to suffer me to take a memorandum of his communication at the same 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 authorized 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, provided 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 altho' so general and informal a communication, no answer might be necessary and certainly no particular answer expected, yet, I was authorized to say, that the communication is received with sincere satisfaction, as it is hoped that the spirit in which it is authorized 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 with 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 thro' him, it did not appear to be reducible to any practicable shape to which the Executive would be authorized to give it the necessary sanction, nor indeed is it probable that it was less liable to insuperable difficulties, than it would 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 arrangement that could now be made. It was stated to Mr. Baker, that the President did not, under existing circumstances consider Mr. Foster as vested with the power of appointing a charge des affaires, but that no difficulty in point of form would be made, as any authentic communication through him, or any other channel, would be received with attention and respect.

THE SEC. OF STATE TO MR. RUSSELL.

Dated Department of State, August 21, 1812.

[Extract.]

My last letter to you was of the 27th July, and was forwarded by the British packet, the Athia, under the special protection of Mr. Baker. The object of that letter, and of the next preceding one of the 26th 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 dispatch 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 authorized 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 is also stated, that Mr. Foster had promised to confer