

HIGHLY IMPORTANT.

Washington, Oct. 11.

The following message was yesterday sent to both Houses of Congress, by the President of the United States:

To the Senate and House of Representatives of the U. S.

That before Congress communications just received from the plenipotentiaries of the United States, charged with negotiating peace with Great Britain; showing the course on which alone that government is willing to put an end to the war.

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

JAMES MADISON.

Washington, Oct. 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, esq. and William Adams, esq. arrived in this city on Saturday evening, the 6th inst. 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 one o'clock on Monday the 8th inst. 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 negotiation 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 to this negotiation, 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 bands 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 Britannic Majesty to the allegiance of all the native subjects of Great Britain.
2. The Indian Allies of Great Britain to be included in the pacification, and a definite boundary to be settled for their territory.
3. A revision of the boundary line between the United States and the adjacent British colonies.

presented 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, or 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 shore of the British territories, would not be renewed with 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 intended to enter into negotiation on these several points? and, whether there was any amongst these which we thought it unnecessary 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, or of fisheries. Nor did it seem probable, although in either of these points had been stated with sufficient precision in that first verbal conference, that they could be admitted in any shape. We did not wish, however, to prejudge the result, or by any hasty proceeding abruptly to break off the negotiation.

It was not impossible 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 might be mutually agreed of other neutral and belligerent rights.
- 2d. Claims of indemnity in certain cases of capture and seizure.

We then stated that the subject, 1st of Indian pacification, and boundary, and 2d of fisheries, were 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 negotiation, 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 provision had been inserted in the treaty of peace in 1783, nor in any other treaty between the two countries. No such provisions had to our knowledge, ever been inserted in 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 separate 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 and objects of Great Britain upon all the points, and our willingness to discuss them all, in order that, even if no arrangement could 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 negotiation, it was said, that it could not be expected, that in a letter merely intended to invite a negotiation, 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, & 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 a rupture of the negotiation on any point, it was our anxious 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 this opportunity to remark, that no nation observed a policy more liberal and humane towards the Indians than that pursued by the U. States; that the 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 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 without consent of G. 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 United 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 a barrier between the British dominions and those of the United States; that both G. Britain and the U. 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 abstain from 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 assurances, 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 sub-

mit. They dispatched 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 dispatch; 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 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 obedient servants,

JOHN QUINCY ADAMS, J. A. BAYARD, H. CLAY, JONA. RUSSELL.

Here follow the Protocols of Conference, which agree in substance with what is stated in the above letter.

Messrs. Adams, Bayard, Clay, Russell and Gallatin, to Mr. Monroe, Secretary of State, dated Ghent, 19 Aug. 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 had arrived last night in this city, whence, it is said, he will depart to-morrow on his way to Brussels and Vienna.

The British Commissioners stated that their Government had felt some surprise, that we were not instructed respecting the Indians, as it could not have been expected that they would leave their Allies, in their comparatively weak situation, exposed to our resentment. Great-Britain might justly have supposed that the American government would have furnished us with instructions, authorising us to agree to a positive article on the subject; but the least she could demand was that we should sign a provisional article admitting the principle, subject to the ratification of our government; so that, if it should be ratified, the treaty should take effect; and, if not, that it should be null and void; on our assent or refusal to admit such an article would depend the continuance or suspension of the negotiation.

As we had represented that the proposition made by them, on that subject, was not sufficiently explicit, their government had directed them to give us every necessary explanation, and to state distinctly the basis which must be considered as an indispensable preliminary.

This was a *sine qua non* that the Indians should be included in the pacification, and, as incident thereto, that the boundaries of their territory should be permanently established.