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US Report on British of 25th Nov 1814, DC
NILES' WEEKLY REGISTER.

No. 10 of VOL. VII.]

BALTIMORE, SATURDAY, NOVEMBER 12, 1814.

[WHOLE NO. 166.]

Hec olim meminisse juvabit.—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at \$5 per ann

Retaliatory Documents.

To the house of representatives of the United States.

I transmit to the house of representatives a report from the department of state, complying with their resolution of the 15th instant.

JAMES MADISON,

October 28, 1814.

REPORT.

Department of state, Oct. 27, 1814.

The acting secretary of state, to whom was referred the resolution of the house of representatives of the 15th instant, has the honor of submitting to the president the accompanying papers, marked Nos. 1, 2, 3, and 4, as containing the information which is presumed to be called for by the said resolution.

Respectfully submitted.

JAMES MONROE.

The president of the United States.

No. 1.

Extract of a letter from Reuben G. Beasley, Esq. to the commissary general of prisoners, dated

LONDON, March 18, 1814.

"Having had several conversations on the subject of retaliation, previous to the receipt of your letters of the 6th and 9th of January, I took the earliest occasion to communicate the information they contained. On the 19th ultimo, I addressed a letter to the transport board on the subject, a copy of which I have now the honor to inclose. Although I have received no reply to this letter, I have the satisfaction to inform you that I have been assured by the secretary of the board, and have found the fact confirmed by my own observation, that the treatment of the individuals sent to this country for trial, has in no respect been different from that of the other prisoners of war."

Mr. Beasley to the secretary of the transport board.

HARTLEY-STREET, Feb. 19, 1814.

SIR—In consequence of the wish which you verbally expressed to me yesterday, I now present to the board, in the form in which it has been communicated to me by the commissary general of prisoners of the United States, a statement of the various measures of retaliation which have been forced on the American government by the unwarrantable acts of the British officers. I the more readily comply with this wish, because it will lead to a proper understanding on the subject, and I persuade myself it will be followed by measures on the part of the British government, which will not only relieve the suffering individuals, but put an end to the proceedings, the very idea of which is so painful to every generous and humane feeling. I begin in the order in which they occurred.

(Here follows the statement extracted from general Mason's letter of the 6th January, 1814.)*

To the foregoing I have to add, that information has been received by the commissary general that the British commanding officer at Halifax had confined there 64 American officers, with intention to make the number 92, in retaliation for the 46 British officers confined by the American government. As

* This statement contained the substance of the cases to be found in the report of the secretary of state of the 14th April, 1814, printed by order of the senate, from page 13 to 173.

soon as this should be officially communicated to the government, a correspondent and effectual measure would be adopted in the United States.

In this statement and the documents which accompany it, will be found the disposition and sentiments of the American government. It will be seen that this system was not begun by the United States. Prompt in the discharge of the duty they owe to their citizens, they have constantly lamented the necessity of the measure imposed on them, and have on every occasion shown, as you will see exemplified in the first, second, third and fourth acts above recited, that the moment the necessity of detention ceased to exist, the persons confined have at all times been released.

The British agent in the United States, who has been regularly informed of every circumstance relative to this unpleasant subject, will no doubt have done the American government the justice to say, that the sufferings of the individuals concerned have been as little as the nature of the case would admit.

It has been thought extraordinary that contrary to the stipulations of the cartel, American prisoners have been sent to this country from Canada. This measure was strongly remonstrated against to col. Barclay some time ago; but so far from having produced the desired effect, it has been continued under circumstances of the greatest hardship and suffering. About 400 of these persons, many of whom had never before been at sea, were hurried on board ship without the least previous notice to provide themselves with necessaries; and in that situation exposed to a boisterous winter passage. The government of the United States has sought in vain for a legitimate motive for this conduct, which will necessarily lead to a corresponding measure of severity if not satisfactorily explained.

I am instructed to make enquiry relative to the situation of all the prisoners who have from time to time been sent to this country; and to give information of the places of confinement and treatment of those who were sent here for trial.

I have to remark, that while the British prisoners in the United States have been treated in exact conformity to the stipulations contained in the cartel, no change whatever has been made in the treatment of American prisoners in close confinement, nor has any satisfactory reason been given why they have not been placed on the same footing.

The situation of the British officers who are held in the U. States as hostages to answer in their persons for the safety and proper treatment of the American prisoners, will be found described in the extract of a letter herewith transmitted, dated 13th December, 1814, and it will continue the same while it is understood that American officers in the hands of the British government meet with similar treatment.

I am, sir, your most obedient servant,

(Signed)

R. G. BEASLEY.

Alexander M'Leay, Esq. &c.

No. 2.

Extracts of a letter of instructions from the secretary of state to colonel Tobias Lear, appointed to negotiate, on the part of the United States, an exchange of prisoners of war, with sir George Prevost, dated
WASHINGTON, June 27, 1814.

"On the subject of hostages, if any are retained

on either side, it cannot be admitted, that a number of prisoners shall be left in the hands of the enemy in that state, or in any other, different from the ordinary state of prisoners of war, greater than shall be held by us to answer for their proper treatment and safety."

"You are not unacquainted with the cause which induced the government to designate certain persons, prisoners of war, in our possession, to abide the fate of such American prisoners of war as the enemy had thought proper to separate from their comrades, and to transport, under severe and ignominious confinement, to England, for trial as traitors. While this treatment continued, and while there was a probability of the threatened trial and punishment, this government could not and would not have relaxed in the measures it had adopted. Information, however, having been recently received from Mr. Beasley, American agent for prisoners at London, dated on the 18th day of March last, by which it is known, that he had received assurances, and that he was satisfied of the fact, that the treatment of the individuals sent to that country, avowedly for trial, has been in no respect different from that of other prisoners of war, the president has been induced to hope, from this circumstance, as well as from the length of time which has elapsed since these persons have been in England, without having been brought to trial, that it is not the intention of the British government to take a step which would inevitably involve consequences shocking to humanity; and sincerely desirous of lessening, as much as possible, the sufferings of individuals on both sides, he has determined, that, reserving to the government the full right of replacing the hostages who may have been designated here, and retaining the power to do so, such of the prisoners taken from the command of sir George Prevost, as have been so designated, may now be exchanged. You are accordingly authorised to stipulate that the proposed release and exchange shall be without distinction of hostages, taking care that it shall be reciprocal, and that a special reservation be made of the right, which may be common, to replace them, whenever it is deemed proper to do so."

No. 3.

Extracts of such parts of a convention, for the exchange of prisoners of war, proposed on the 15th of April, 1814, and of the instrument, by which it was modified, and finally agreed upon, on the 16th July following, between agents duly authorised by the secretary of state of the United States, on the one part, and sir George Prevost, commander in chief of the British forces in the Canadas, on the other, as relates to those who had been on either side confined under the system of retaliation.

Extract of the convention of the 15th of April.

Article I. It is mutually stipulated and agreed, that all the persons belonging to the army, navy, or militia, of the united kingdom of Great Britain and Ireland, or the provinces or dependencies thereof, under the command, authority, and jurisdiction of his excellency sir George Prevost, or any subjects or residents thereof, within the same command, authority, and jurisdiction, who may have been made captives during the present war, under and by the command and authority of the government of the United States, and also all persons belonging to the navy, army, or militia, of the United States, or any of them, or the territories thereof, or citizens or residents of the same, or any of them, who may have been made captives, during the present war, by and under the command and authority of sir George Prevost aforesaid; and which said persons, so re-

spectively captured, are now held in confinement by the said respective parties, either as prisoners of war, hostages, or otherwise, shall be mutually and respectively forthwith released from confinement, and sent or permitted to proceed to the United States or Canada, respectively, in the manner hereinafter pointed out, with as little delay as may be, saving and excepting always the first three and twenty men first put into confinement on principles of retaliation, as hostages, by the United States, and the officers and non-commissioned officers put into confinement by his excellency sir George Prevost, in retaliation for the confinement of said twenty-three men, private soldiers.

Article IX. It is further mutually agreed that all the persons thus released, and sent or permitted to return to their respective countries, who are now in Lower Canada, or on the eastern side of the Alleghany mountains in the United States, and also all prisoners of war who are now on parole or otherwise in their respective countries, be and the same are hereby declared to be exchanged, and that they and every of them, from and after the 15th May next, shall be perfectly and entirely free to enter and engage in the military, naval, or other service of their respective countries, as if they never had been prisoners of war and hostages; and in like manner all the said persons who are on the western side of the Alleghany mountains in the United States, and those who are in or near Halifax, or in Nova Scotia, and who were captured by and under the command of sir George Prevost, shall be and are hereby declared exchanged and at liberty to enter into the naval, military, or other service of their respective countries, as if they had never been made prisoners of war and hostages.

Article XII. It is further mutually agreed and expressly understood, that nothing herein contained is intended or shall in any manner prevent or hinder either party from resorting to retaliation, or replacing said hostages, whenever either may deem it proper, for the past or any future act or conduct of the opposite party.

Extracts of the instrument of modification and ratification of the 16th July, 1813.

PREAMBLE.—"The following modification of the said convention of the 15th April last, have been agreed to; in consequence of which, the same is hereby ratified and confirmed, on the part of the United States, in virtue of the full powers given to the aforesaid Tobias Lear, the same having been before ratified by his excellency sir George Prevost," &c.

"Article I. The twenty three British soldiers put into confinement as hostages by the United States, and the forty-six American commissioned and non-commissioned officers put in confinement by his excellency sir George Prevost, in retaliation for the confinement of the said twenty-three soldiers, as mentioned in the first article of the aforesaid convention, are to be immediately released and exchanged, in the same manner as other prisoners of war mentioned in the said article.

"Article II. All accounts of exchange, relative to prisoners of war, officers, non-commissioned officers and privates, of the army, navy, and militia, of the government of Great Britain, and of the United States of America, and of all other persons, subjects or residents of the one, or citizens or residents of the other, captured by the forces under the command of sir George Prevost, or from his command or authority, during the present war between Great Britain and the United States, prior to the fifteenth of April last, and for the release and exchange of whom it is stipulated; by the ninth article of the aforesaid con-

vention of the 15th April aforesaid, and the twenty-three and forty-six hostages, before mentioned, are by this present modification definitively liquidated and settled, without either party having any pretension or right to any claim therein hereafter."

No. 4.

Extract of a letter from colonel Thomas Barclay, to the commissary general of prisoners, dated at

Bladensburg, 14th June, 1814.

"Should there be any British prisoners of war remaining in these states from New-York, eastward, permit me to recommend their being released, and sent in the Matilda cartel, lately arrived at Salem, with American prisoners. In the number I hope you will include all those now held as hostages, and beg leave to assure you, I have recommended to the admiral and general, the release of all Americans held on similar principles, to the state of ordinary prisoners; and that Mr. Mitchell be informed, he is at liberty to elect them to be sent to these states, in return for British prisoners received."

Extract of a letter from the commissary general of prisoners to colonel Thomas Barclay, dated June 21st, 1814, in answer to colonel Barclay's letter of June 14, 1814.

"On the subject of hostages, I will cheerfully direct to be released, and sent to Halifax, any such as we now hold on the maritime frontier of Massachusetts; if you will engage that the persons at Halifax, on whose account they were confined, shall be immediately released and returned to the United States. I believe there are but sixteen of that description whose names are enclosed. The few then remaining, with the desire to meet the relaxation proposed by you I will direct to be confined with other non-paroled prisoners, on board the prison ship at Salem."

Badensburg, June 21, 1814.

sir—I had hoped, in consequence of my having acquainted you I had recommended the naval and military commanders at Halifax to release to the state of ordinary prisoners all the Americans then held on retaliatory principles, that this government would have been induced to adopt a similar conciliatory measure, and thereby relieve the unfortunate men who have been so unpleasantly situated. You will by a re-perusal of my late letters on this subject, perceive the unpleasant consequences to which his majesty's government will be driven, if the acts above mentioned on the part of his majesty do not meet a corresponding conduct on the part of this government.

Mr. Prince, the marshal of Massachusetts has informed Mr. Simpson, that you have directed him to retain eighteen British prisoners as hostages, for a like number of men part of the 101 American prisoners sent last autumn to England.

On the 14th instant I requested you to inform me, whether you would consent that all the British prisoners who might remain in the eastern states after the departure of the Perseverance cartel to Halifax, should be sent in the Matilda cartel for Halifax, for whom I would order an equivalent to be returned. A measure of this nature must prove equally advantageous to both nations. Permit me to request your answer, and if it is the determination of this government to hold any British subjects as hostages, that you will favor me with a list of their names, the persons they are held for, and the places of confinement.

I have the honor to be, sir, your obedient servant,
(Signed) THOMAS BARCLAY.

General Mason, &c. &c.

Extract of a letter from colonel Thomas Barclay to the commissary general of prisoners, dated at

Bladensburg, June 22d, 1814.

"sir—I am this moment honored with your letter of yesterday.

"I am pleased with your consenting to send all the British prisoners remaining in the eastern states to Halifax, and that the hostages are to be included. I have repeatedly informed you, that I had requested every American prisoner held as a hostage at Halifax, should be released to the state of ordinary prisoners, and that Mr. Mitchell should be at liberty to select whom he pleased in making up the equivalent to be sent from Halifax. I will be answerable that the above is carried into effect, and that an equivalent, under Mr. Mitchell's election, is immediately sent from Halifax to Salem, in return for the men whom the Matilda carries from Salem."

Extract of a letter from the commissary general of prisoners to colonel Thomas Barclay, dated at

Washington, June 22, 1814.

"I have received your letters of this date, and of the 21st instant. I shall in consequence of your engagement in that of the 22d inst. and in compliance with the terms of mine, of yesterday, by the mail made up to-day, instruct Mr. Prince to collect all the prisoners he can in reasonable time and send by the cartel Matilda, and such hostages as have been designated in retaliation against American prisoners confined at Halifax.

"The other hostages designated for American prisoners sent to England will be placed in the ordinary state of non-paroled prisoners, and those at Fort Sewall removed to the prison ship at Salem for that purpose."

Bladensburg, August 9, 1814.

sir—I had hoped, in consequence of my several letters to you on the subject of retaliation, and the release of all the American prisoners held as hostages in his majesty's dominions under retaliatory orders, of which I have given you notice, that this government would have been induced to follow the example, and place in the ordinary state of prisoners, ready for release and exchange, the few British prisoners named at the foot of this letter who are still held in confinement as hostages.

I request you will be pleased to inform me, whether it is the intention of this government to continue these unfortunate men in prison as hostages, and to withhold their release and exchange; and I beg leave to add, that if this is the case double the number of American prisoners will once more be placed in a similar state of confinement in retaliation for these men.

I have the honor to be, sir, your obedient servant.

(Signed) THOMAS BARCLAY.

General Mason, &c. &c.

List of prisoners referred to in the preceding letter.

In Massachusetts.—John Price, R. Robertson, John Anderson, John Eagen, James Dawson, Henry Beddingfield, William Kitts.

In Rhode-Island.—William Lincoln.

Extract of a letter from the commissary general of prisoners to colonel Thomas Barclay, dated

August 12, 1814.

sir—In reply to your letter of the 9th instant, I shall pass over the terms in which you have thought proper to convey part of that letter, with the remark, that after the manner in which the subject of hostages had been treated in your letter of the 14th of June, and mine of the 21st and 22d of the same month; considering the information I had given you in my letter of the 20th of May, of the relaxation which had taken place in the condition of the twenty-three hostages in our power at Greenbush, and the cause of it, and the communication I had made you as late as the 28th ultimo, if the convention concluded with sir George Prevost, by which these and all other hostages appertaining to the class of prisoners captured by or from his command, were released and finally exchanged; it could not have been expected, when you thought proper to make further inquiry as to the situation of

those persons yet remaining in our possession, who had been hostages, and the intention of the government towards them, you should have then resorted to the same declaration of consequences, conveyed in terms amounting to a threat, which you had been informed in the letter I addressed to you on the 11th of June, on a former occasion, was unavailing, and had been considered exceptionable.

In my letter of the 22d of June, I informed you, that those who had been hostages and not sent for exchange for the cartel then in port, should be restored to the ordinary state of prisoners. Why, then, unless you were well assured that this had not been, do you say in yours of the 2d instant, you had hoped that the American government would have been induced to follow the example of your government. The fact is, at this time there is no British prisoner in this country in any other situation. The order to that effect went from this office on the 22d of June, as to the prisoners in Massachusetts, and on the 19th of July as to one (William Lincoln) in Rhode Island. The copy of my letter to the marshal of that state, now sent, will explain the cause of his confinement being thus much lengthened, namely, his attempt to escape.

The reasons which determined this government to relax in the mode of treatment toward hostages, are detailed in that letter, and were the same which induced it to accept a proposition on the part of sir George Prevost, to include all hostages on both sides in the general exchange of prisoners made with him, with the reservation of the right to replace them with others, should it from any change of circumstances be deemed necessary. These reasons, to wit: Information from our agent in London, that the American prisoners sent to England for trial were not then confined or treated otherwise than ordinary prisoners, operating, generally so soon as they had been acted on in the exchange of part of the hostages, held by us in the quarter just mentioned, produced instructions from this office to put on the same footing "the persons heretofore designated as hostages of the maritime class, and to hold them ready for exchange: they are accordingly now so held."

Massachusetts Legislature

DOCUMENTS ACCOMPANYING THE MESSAGE OF THE GOVERNOR TO THE GENERAL COURT.

Copy of a letter from the governor of this commonwealth, to the secretary of war.

Boston, September 7, 1814.

Sir—The troops of the United States, which at different periods were stationed on the sea coast of this state, have been afterwards ordered to join the army on the western frontier, so that very few have remained in the state: We have therefore found it necessary, in the course of the last and present year, to call out small bodies of militia, as guards to the towns most exposed. As the danger has increased, the number of detached militia has been augmented, and I have now issued the enclosed general order for the protection of Boston and the towns and property in its neighborhood, and shall immediately issue an order of a similar kind for the security of the district of Maine.

A few weeks since, agreeably to the request of general Dearborn, I detached eleven hundred militia for three months, for the defence of our sea coast, and placed them under his command as superintendent of this military district, but such objections and inconveniences have arisen from that measure, that it cannot now be repeated. The militia called

out on this occasion, will be placed under the immediate command of a major general of the militia.

I will thank you, sir, to consult with the president, and inform me whether the expenses thus necessarily incurred for our protection will be ultimately reimbursed to this state by the general government; and I shall be particularly obliged if you will favor me with an answer as soon as may be, as the legislature of the state will meet on the 5th of the next month.

I am sir, with great respect, your most obedient and humble servant,
CALEB STRONG.

Mr. Secretary Monroe.

Copy of the Secretary's answer.

Department of State, Sept. 17, 1814.

Sir—Have had the honor to receive your excellency's letter of the seventh instant.

The attack of the enemy on Baltimore and probable eventual attack on other places, with the heavy duties incident thereto pressing on this department have prevented my answering it at an earlier day.

It may be satisfactory to your excellency for me to explain the views and principles on which this government has acted, in regard to the defence of our eastern frontier.

It was anticipated, soon after the commencement of the war, that while it lasted, every part of the union, especially the sea-board, would be exposed to some degree of danger, greater or less, according to the spirit with which the war might be waged. It was the duty of the government to make the best provision against the danger which might be practicable, and it was proper that the provision should continue while the cause existed.

The arrangement of the United States into military districts, with a certain portion of the regular force, artillery and infantry, under an officer of the regular army, of experience and high rank, in each district, with power to call for the militia, as circumstances might require, was adopted with a view to afford the best protection to every part that circumstances would admit.

It was presumed, that the establishment of a small force of the kind stated, constituting the first elements of an army, in each district, to be aided by the militia in case of emergency, would be adequate to its defence. Such a force of infantry and artillery, might repel small predatory parties, and form a rallying point for the militia, at the more exposed and important stations, in case of more formidable invasion. A regular officer of experience stationed in the district, acting under the authority, and pursuing the will of the government, might digest plans for its defence; select proper points for works, and superintend the erection of them, call for supplies of ordnance, for teams and camp equipage, for small arms and other munitions of war; call for the militia, and dispose of the whole force. These duties, it was believed, could not be performed with equal advantage by the officers of the militia, who being called into service for short terms, would not have it in their power, however well qualified they might be in other respects, to digest plans, and preserve that chain of connection and system in the whole business, which seemed to be indispensable.

On great consideration, this arrangement was deemed the most eligible, that could be adopted under the authority of the United States. Indeed none occurred that could be placed in competition with it. In this mode the national government acts by its proper organs, over whom it has control, and for whose engagements it is responsible.

The measures which may be adopted by a state government for the defence of a state, must be considered as its own measures, not those of the United

States. The expenses attending them are chargeable to the state, and not to the United States. Your excellency will perceive that a different construction would lead into the most important, and, as is believed, into the most pernicious consequences. If a state could call out the militia, and subject the United States to the expense of supporting them, at its pleasure, the national authority would cease as to that important object, and the nation be charged with expenses, in the measures producing which the national government had no agency, and over which it could have no control. This, however, though a serious objection to such a construction is not the most weighty. By taking the defence of the state into its own hands and out of those of the general government, a policy is introduced on the tendency of which I forbear to comment. I shall remark only, that if a close union of the states and a harmonious co-operation between them and the general government, are at any time necessary for the preservation of their independence, and of those inestimable liberties, which were achieved by the valor and blood of our ancestors, that time may be considered as having arrived.

It follows from this view of the subject, that if the force which has been put into service by your excellency has been required by major-general Dearborn, or received by him and put under his command, that the expenses attending it will be defrayed by the United States. It follows likewise as a necessary consequence, that if this force has been called into service by the authority of the state, independently of maj. gen. Dearborn, and be not placed under him, as commander of the district, that the state of Massachusetts is chargeable with the expense and not the United States. Any claim which the state may have to reimbursement, must be judged of hereafter, by the competent authority, on a full view of all the circumstances attending it. It is a question which is beyond the authority of the executive.

Your excellency will perceive that this government has no other alternative than to adhere to a system of defence which was adopted on great consideration with the best view to the general welfare, or to abandon it, and with it a principle held sacred; thereby shrinking from its duty, at a moment of great peril, weakening the guards deemed necessary for the public safety, and opening the door to other consequences not less dangerous.

By these remarks it is not intended to convey the idea, that a militia officer of a superior grade regularly called into service, shall not command an officer of the regular army, of inferior grade, when acting together. No such idea is entertained by the government. The militia are relied upon essentially for the defence of the country. In their hands every thing is safe * * * * *. It is the object of the government to impose on them no burthens, which it may be possible to avoid; and to protect them in the discharge of their duties, in the enjoyment of all their rights.

The various points which are attacked and menaced by the enemy, especially in this quarter, where they are waging in considerable force, a predatory and desolating warfare, make it difficult to provide immediately for all the necessary expenditures. Any aid which the state of Massachusetts may afford to the United States, to meet these expenditures, will be cheerfully received, and applied to the payment and support of the militia of that state, in the service of the United States. It will be proper that the money thus advanced should be deposited in some bank in Boston, that the disbursement of it may be made under the authority of the government of the United States, as in similar cases elsewhere.

Credit will be given to the state for such advance, and the amount be considered a loan to the United States.

I have the honor to be, with the highest respect, sir, your most obedient humble servant,

JAS. MONROE.

His excellency Caleb Strong, &c. &c.

Copy of a letter from the governor of Rhode-Island to the governor of Massachusetts.

Providence, Sept. 21, 1814.

SIR—By virtue of certain resolutions passed by the general assembly of this state, at their session holden on the 15th day of September instant, I am authorized and requested, in case of the invasion of the neighboring states, to march immediately to their assistance such part of the military force of this state as shall be by me thought expedient to detach for that service. And I am also requested to assure your excellency of the readiness of this state to render you all the aid and assistance in our power, in case of invasion or imminent danger thereof, and to solicit the co-operation of your state, and your speedy aid and assistance in case of an invasion of this state, or of imminent danger thereof.

I have the honor to be, very respectfully, sir, your obedient servant,

WILLIAM JONES.

His excellency Caleb Strong, Esq.

Copy of the governor's answer.

Boston, Sept. 23, 1814.

SIR—I have received your obliging communication of the 21st inst. and shall lay it before the legislature of this state which will assemble on the 5th of October next. I have no doubt they will sincerely reciprocate the sentiments expressed by your general assembly.

In the meantime I pray you to be assured that I shall be ready to co-operate with you in the present alarming state of public affairs, and in case of invasion of the state of Rhode-Island, or of immediate danger thereof, to afford all the aid and assistance which the powers with which I am entrusted enable me to render.

And that I am with very great respect, sir, your most obedient and humble servant,

CALEB STRONG.

His excellency William Jones,

governor of the state of Rhode-Island.

HOUSE OF REPRESENTATIVES.

Saturday, October 8th.

The committee to whom was referred the message of his excellency, with the documents accompanying the same, respectfully report in part—

That the unhappy and ruinous war, declared against Great Britain, has assumed an aspect of great and immediate danger to this commonwealth. The persevering invasion of Canada, has, at length, produced, as by natural consequence, the invasion of our Atlantic frontier, and River towns. A portion of the territory of this state, is already in the actual occupation of the enemy, and the sea-coast, in all such parts as may be deemed assailable, is openly menaced with desolation. To defend our soil, and to repel the invader, no force or means, bearing any proportion to the emergency, have been provided by the national government. It was justly to have been expected, that, before hostilities were provoked from a formidable enemy, or, at least that, at some period subsequent to their commencement, means of defence and protection would have been afforded to a sea-coast so extended, and so exposed to the ravages of an enemy, as that of Massachusetts. But events forbid a reliance on any such expectation. The principal part of the regular force raised, or at and

time quartered in this state, has been withdrawn for the war on the Canada border. The fortifications, until lately strengthened by the exertions of our own citizens, were essentially defective, and the navy in a situation calculated to invite, rather than repel aggression, and to require protection, instead of affording it. Indeed, when the circumstances under which the war was declared, and has been prosecuted, are viewed in connexion with the utter neglect of the ordinary preparation for such a state; the inference is fairly warranted, that the American cabinet intended no other means of defence for this state, but such as a brave and free people would feel themselves impelled to make, by their own sense of danger and love of country. That it relied upon the passions and sufferings, incident to a state of war, to overcome the repugnance so universally felt by our citizens to the unjust and ruinous contest; and to leave them at liberty to drain our population and our treasures for the protection of their favorite enterprises. But when the commonwealth was found to be in danger of invasion, the people have not paused to, consider the motives or objects of their national rulers, in leaving them defenceless; but at the summons of their governor, they have repaired to the standard of their country, with a zeal and alacrity which demonstrate, that the principles which unite men of every class and description in the determination to conquer or die in its defence, are not enfeebled by our party divisions. Thousands of brave and hardy yeomanry, composing a part of a well provided and well disciplined militia, have hastened to the post of danger, and other thousands are ready to follow, at a moment's warning. The most liberal and effectual aid has been afforded in erecting forts and batteries; and but one spirit animates the whole mass of our citizens, with the invincible resolution of defending their native land against the incursions of an enemy, who has not discriminated between those who anxiously sought peace, and those who have wantonly provoked the war. It is however a fact, not to be disguised, that while the people of this state with the blessing of Heaven, have confidence in the sufficiency of their resources, for defending their own soil, if applied exclusively to this object, yet they cannot be supposed equal to this, and also competent to respond to the heavy and increasing demands of the national government.

The state of the national treasury, as exhibited by the proper officer, requires an augmentation of existing taxes, and if in addition to these, the people of Massachusetts, deprived of their commerce, and harassed by a formidable enemy, are compelled to provide for the indispensable duty of self-defence, it must soon become impossible for them to sustain this burden. There remains to them therefore no alternative but submission to the enemy, or the control of their own resources, to repel his aggressions. It is impossible to hesitate in making the election. This people are not ready for conquest or submission. But being ready and determined to defend themselves, and having no other adequate means of defence, they have the greatest need of those resources derivable, from themselves, which the national government has hitherto thought proper to employ elsewhere.

Your committee are also of opinion, that if the war is to continue, provision for a military force, in addition to the ordinary militia, must be resorted to: that a considerable force must be embodied, and maintained, ready to meet the enemy in his varied and distant enterprises—that the continual calls upon great bodies of militia, to march from home, at all seasons, and to remain at a distance from their families, will be the more oppressive, and least econo-

mical of any mode of defence which can be devised in a protracted warfare.

But while your committee think, that, the people of this commonwealth ought to unite, and that they will unite, under any circumstances, at the hazard of all that is dear, in repelling an invading foe, it is not believed, that this solemn obligation imposes silence, upon their just complaints against the authors of the national misfortunes. It is on the contrary, a sacred duty, to hold up to view on all occasions the destructive policy, by which as fate of unparalleled national felicity has been converted into one of humiliation and danger, believing, that, unless an almost ruined people will discard the men and change the measures which have induced this state of peril and suffering, the day of their political salvation is past. It should never be forgotten that this disastrous condition of public affairs, has been forced upon Massachusetts, not merely against her consent, but in opposition to her most earnest protestations. From the moment that the administration, yielding to its own passions, and calculations of party power, commenced its system of commercial hostility to Great Britain, and of conformity to the views of the late tyrant of France, its tendency to involve the nation in the most needless and cruel embarrassments, was distinctly foreseen, and declared by former legislatures. The insufficiency of our youthful, though flourishing commerce, to cope with that of Great Britain in a struggle of restrictions, was announced by the united warning of those best versed in a knowledge of this subject. It was never doubted by these persons, that a war with Great Britain, would be accompanied by an extinction of commerce; by the banishment of our sailors; the desolation of our coast, the blockade and invasion of our sea-ports, the failure of national credit; the necessity of oppressive taxes; and the consummation of national ruin by an alliance with the late despot of Europe, from which greatest of all calamities we have been preserved only by his fall. Of all these evils, were our rulers forewarned by Massachusetts, whose vital interests were thus put in jeopardy; and they were implored by every consideration of policy and humanity, to stay their hands from the cruel and wanton sacrifice of the interests of those who asked from them, nothing but the privilege of pursuing their own industrious callings. But government deaf to this voice, and listening to men distinguished in their native state only by their loyalty to its interests, and the enjoyment of a patronage bestowed upon them as its price, have affected to consider the patriotic citizens of this great state as tainted with disaffection to the union and with predilection for Great Britain, and have lavished the public treasury in vain attempts to fix by evidence this odious imputation. Thus dishonored and deprived of all influence in the national councils, this state has been dragged into an unnatural and distressing war, and its safety, perhaps its liberties, endangered.

It is therefore with great concern, that your committee are obliged to declare their conviction, that the constitution of the United States, under the administration of the persons in power, has failed to secure to this commonwealth, and as they believe to the eastern section of this union, those equal rights and benefits, which were the great objects of its formation, and which they cannot relinquish without ruin to themselves and posterity. These grievances justify and require vigorous, persevering and peaceable exertions to unite those who realize the sufferings, and foresee the dangers of the country, in some system of measures, to obtain relief, for which the ordinary mode of procuring amendments to the constitution affords no reasonable expectation, in season to

prevent the completion of its ruin. The people however, possess the means of certain redress; and when their safety, which is the supreme law, is in question, these means should be promptly applied. The framers of the constitution, made provision to amend defects which were known to be incidental to every human institution: and the provision itself was not less liable to be found defective upon experiment, than other parts of the instrument. When this deficiency becomes apparent, no reason can preclude the right of the whole people who were parties to it to adopt another; and it is not a presumptuous expectation, that a spirit of equity and justice, enlightened by experience, would enable them to reconcile conflicting interests, and obviate the principal cause of those dissensions, which unfit government for a state of peace and of war, and so to amend the constitution, as to give vigor and duration to the union of the states. But as a proposition for such a convention from a single state, would probably be unsuccessful, and our danger admits not of delay, it is recommended by the committee, that in the first instance, a conference should be invited between those states, the affinity of whose interests is closest, and whose habits or intercourse, from their local situation and other causes are most frequent, to the end, that by a comparison of their sentiments and views, some mode of defence suited to the circumstances and exigencies of those states and measures for accelerating the return of public prosperity may be devised; and also to enable the delegates from those states, should they deem it expedient to lay the foundation for a radical reform in the national compact by inviting to a future convention, a deputation from all the states in the union. They therefore report the following resolves—which are submitted.

H. G. OTIS, *per order.*

Resolved, That the calamities of war being now brought home to the territory of this commonwealth; a portion of it, being in the occupation of the enemy, our sea-coast and rivers being invaded in several places, and in all exposed to immediate danger, the people of Massachusetts are impelled by the duty of self defence, and by all the feelings and attachments which bind good citizens to their country, to unite in the most vigorous measures for defending the state and expelling the invader, and no party feelings, or political dissensions can ever interfere with the discharge of this exalted duty.

Resolved, That provision be made by law for raising by voluntary enlistment for twelve months or during the war, a number of troops not exceeding ten thousand to be organized and officered by the governor, for the defence of the state.

Resolved, That the governor be authorized to accept the services of any volunteers, and to organize them as part of the aforesaid troops, who shall hold themselves in readiness to march at a moment's warning to any part of the commonwealth, who shall be entitled to full pay and rations, when in actual service, and to a just compensation short of full pay, to be provided by law, during the entire term of their enlistment.

Resolved, That the governor be authorized to borrow from time to time a sum not exceeding one million of dollars, at an interest not exceeding six per cent. and that the faith of this government be pledged to provide funds at the next session of this legislature at furthest for the payment of the interest on the sums borrowed.

Resolved, That persons be appointed as delegates from this legislature to meet and confer with delegates from the states of New-England, or any of them, upon the subjects of their public grievances

and concerns, and upon the best means of preserving our resources and of defence against the enemy, and to devise and suggest for adoption by those respective states, such measures as they may deem expedient; and also to take measures, if they shall think proper for procuring a convention of delegates from all the United States, in order to revise the constitution thereof, and more effectually to secure the support and attachment of all the people by placing all upon the basis of fair representation.

Resolved, That a circular letter from this legislature, signed by the president of the senate, and speaker of the house of representatives, be addressed to the executive government of each of said states, to be communicated to their legislatures, explaining the objects of the proposed conference and inviting them to concur in sending delegates thereto.

Resolved, That on the _____ day of _____ instant, this legislature will, by joint ballot, elect _____ persons to meet such delegates as may be appointed by the said states, or either of them, at _____ in the state of _____.

REPORT

On so much of the message of his excellency the governor as relates to his application to the secretary at war, and the answer thereto.

The committee to whom was referred the message of his excellency the governor, and the documents accompanying the same, beg leave to report as to so much thereof as relates to the application made to the secretary at war, on the subject of having the militia called into service for the defence of this state; that, in their opinion, the application of his excellency to the secretary at war, on the seventh of September last, on the subject of the militia, was highly proper; and corresponds with the watchfulness and zeal which his excellency has always manifested, in guarding the rights and interests of this commonwealth.

That the answer of the secretary at war, to the application so made, is of a character justly to alarm the citizens of this state, and especially that portion of them who have been, and those who may be necessarily called into service, and who will also be called on, to pay their proportions, respectively, of the sums assessed, and to be assessed, as to direct taxes: no part of which sums seems intended to be applied in defending this state from invasion, or in compensating the militia for their services.

The tenor of the answer of the secretary at war, has induced your committee to recur to the principles of the compact entered into between this state and the United States.

It is provided in the fourth section of the fourth article of the constitution, that "the United States shall guarantee to every state in this union, a republican form of government; and shall protect each of them against invasion." To enable the United States to do this, power is given by the eighth section of the first article, "to call forth the militia to execute the laws of the union, suppress insurrections, repel invasions; to provide for organizing, arming, and disciplining the militia; for governing such part of them as may be employed in the service of the United States, reserving to the states, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress." And by the second section of the second article, it is provided, that "the president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States."

Before the adoption of the national form of government, the state of Massachusetts possessed

every attribute of sovereignty, and the people of this state would not have surrendered those relating to peace and war, negotiation with foreign powers, and to the resources of this community, founded in taxation, but upon the assurance that the surrendered attributes would have been used, among other purposes, to provide for the common defence, to protect this state against invasion, to promote the general welfare; and to secure the blessings of liberty to them, and their posterity. At a moment then, when a war voluntarily commenced by our national rulers, is prosecuted to conquer the provinces of the enemy, and is retaliated upon the Atlantic states, with powerful fleets and armies, which according to the late proclamation of the president of the United States, have come to desolate every available place, the committee cannot but consider the answer of the secretary at war as further evidence of a disposition on the part of the present administration to withhold these equal benefits of the union to which this commonwealth is entitled.

It appears from this answer, that the government of the United States, soon after the commencement of the war, anticipated that "the seaboard would be exposed to some degree of danger, according to the spirit with which the war might be waged;" and although the armies of the United States were employed to effect the conquest of Canada, and it was therefore, certain that the Atlantic frontier would be invaded, the only provision made by the United States against the impending danger, consisted in dividing the United States into military districts, "with a certain portion of regular force, artillery and infantry, under an officer of the regular army, of experience and high rank, with power to call for the militia as circumstances might require."

If this arrangement was intended as a performance of the highly responsible duties, which the United States had assumed towards the individual states, it behoves the state of Massachusetts to enquire, whether these acts were a performance of these duties; and if not, to seek that redress which is consistent with its rights; and to ascertain the measures necessary to be adopted to meet the dangers which the policy of the national government has produced.

The committee do not find in any terms, used in the constitution, nor by any fair construction of that instrument, a power vested in the president of the United States, to place the militia under the command of any officer of the regular army of the United States. When the militia is called forth for any purpose, intended by the constitution, they are to be commanded by their own officers, subject to the command of the president.

But independently of this assumption of power by which the militia would be subject to the performance of duty indefinite as to time or place, it is not known to your committee, that any such force, as is referred to in the answer of the secretary of war, has been stationed within this commonwealth; nor do they know that any part of the regular army has been employed within this state, excepting to recruit the armies employed on the borders of Canada, and excepting also the number of men usually employed in the forts of the United States in time of peace. In the mean time the whole burden of defence has devolved, in the most inconvenient and costly form on the citizens of this state; who have been called from their families, and their daily employments, and who would not have been disposed to obey the call, but from an highly honorable sense of duty. To the enquiry of his excellency the governor, whether the expenses thus necessarily incurred for the protection of this state from invasion, would be reimbursed by the United States, the secretary of

war answers—"That the measures which may be adopted by a state government for the defence of a state, must be considered as its own measures, not those of the United States. That the expenses attending them are chargeable to the state, and not to the United States."

When the people of this commonwealth call to mind, that since the adoption of the federal constitution, thirty millions of dollars have been collected in this state, and paid into the treasury of the United States; when they are daily reminded, by collection of taxes, that the sum of three hundred and sixteen thousand two hundred and seventy-two dollars is now in process of collection, as a direct tax; when they reflect that of the sum of eleven millions six hundred and sixty thousand dollars already appropriated for the year 1814, they will be called on to pay one million two hundred and sixty five thousand dollars, and that the proportion of this state, for the fifty millions that must be raised for the year 1815, if the expenses of that year should be as great as they have been during the year 1814, will exceed five millions and three hundred thousand dollars, they cannot learn without indignation, that no part of these sums are intended to be applied in defraying the expenses incurred by them, in protecting themselves against invasion, unless the militia have been called for by an officer of the regular army of the United States, and the expense incurred under his direction.

Your committee are opinion, that the legislature of Massachusetts are bound to preserve, by all the means in their power, the resources of the state so far as may be necessary for defence in their present perilous and distressing circumstances. But having been informed that the expenses which have been incurred, and those which will be necessarily incurred, in defending this state against invasion, cannot be ascertained during the present session of the legislature; and presuming that the amount thereof will be made known to the legislature at the next session, and that such statements and information will accompany the same as to his excellency the governor may seem proper, your committee respectfully commend that the further consideration of this subject be referred to the next session of the general court.

D. A. WHITE, per order.

In senate, Oct. 18, 1814—Read and accepted.

Sent down for concurrence.

JOHN PHILLIPS, president,

In the house of representatives, Oct. 18.

Read and concurred,

TIMOTHY BIGELOW, Speaker.

In the house of representatives, Oct. 5.

Soon after the house was called to order, a motion was made by Mr. Low of Lyman, which was laid on the table:

Moved, That a committee be appointed to confer with all the *New-England states* and see if they will agree to appoint a committee to join them, and repair to the city of Washington immediately, then and there personally to make known to the president, the general opinion of all the *New England states* in regard to the present war, and the manner in which it has been conducted, and inform him that he must either resign his office, as president, or remove those ministers and other officers of the general government, who have by their nefarious plans ruined the nation—with leave to report by bill or otherwise.——Read, and to-morrow, at eleven o'clock, assigned for the consideration of the subject.

[This motion was withdrawn the next day.]

The resolutions attached to the report signed H.

G. Otis (inserted above) were adopted on the 13th of October. The first with only 3 dissentients—on the second the votes were 248 for and 78 against it. The third and fourth were passed without debate. The fifth occasioned a long discussion, but was carried 260 to 90—The sixth and seventh were passed by about the same majority.

October 19.—The convention of both houses proceeded to the choice of twelve delegates, to meet and confer [on the 15th December next] with such as may be chosen by any or all of the other New England states upon our public grievances and concerns—when the committee appointed to collect and count the votes, reported, that the whole number was 215; and that the following gentlemen were elected:

Hon. George Cabot, Harrison G. Otis, Timothy Bigelow, Nathan Dana, William Prescott, Samuel S. Wilde, George Bliss, Joshua Thomas, Rodijah Baylies, Joseph Lyman, Daniel Waldo, Stephen Longfellow.

And they were declared to be unanimously chosen. Then adjourned to meet at the usual time of the winter session.

[The delegates were appointed by the votes only of 215 members. The house, I believe, consists of nearly 500. The republicans did not vote in the election, in either branch of the legislature.]

PROTEST

Of the minority of the senate of Massachusetts, against the report of the joint committee of the legislature on the governor's message.

To the honorable the senate of Massachusetts.

The undersigned, members of said senate, beg leave respectfully to object and protest against certain resolutions which were reported by a committee of the legislature and which have been adopted by the senate.

The resolutions, which are more particularly the object of this protest, provide for the appointment of twelve delegates to meet at Hartford, in the state of Connecticut, on the fifteenth day of December next, "To confer with delegates from the other states of New-England, or any of them, upon the subjects of their public grievances and concerns, and upon the best means of preserving our resources and of defence against the enemy, and to devise and suggest for adoption, by those respective states, such measures as they may deem expedient. And also to take measures, if they shall think proper, for procuring a convention of delegates from all the United States, in order to revise the constitution thereof, and more effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation."

Notwithstanding we deem this proposition, at this time, extraordinary, alarming and pernicious, it is rendered peculiarly so, by the novel, strange and unprecedented doctrines and principles contained in the preamble to the resolutions. We had believed, that the constitution of the United States was the most perfect system of republican government, which human wisdom could invent—Framed by men who had felt the oppressions of tyranny, and in some measure experienced the dangers of anarchy; established upon the broad principles of sovereignty in the states, liberty in the people, and energy in the federal head—and effected by the zeal, concessions and candor of those virtuous and enlightened patriots, who had carried America through a war of unparalleled suffering to independence and peace. We had hoped that neither the ambition of party, nor the test of experiment, would have so soon brought us to the conclusion, that it had "fail-

ed to secure to" any "section of the union those equal rights and benefits which were the great object of its formation;" much less, was it to have been suspected, that under the pretext of "reconciling conflicting interests" and in a time of war and invasion and while our constitutional agents were attempting to negotiate a peace, we should promulgate the sentiments to our friends and enemies that the government is "unfit for peace and war"—that a radical reform, or another constitution, were essential to the salvation of the people.

The undersigned have considered that part of the constitution which provides for amendments, as dictated by superior wisdom. While it guards against sudden innovations and ensures stability to the compact, it provides for the correction of those errors and defects which experience alone could discover. And it is with extreme regret that we perceive this attempt at innovation in direct contravention of this salutary provision. If the legislature have no other powers on this subject than those which they derive from the state and federal constitutions, it is manifest, that, in this case they have assumed an authority never delegated to them by the people—And if the legislature have no authority, it is difficult to perceive how they can vest a discretion in their delegates which they themselves do not possess. This, therefore, is an assumption of power, for which this Senate are responsible to the people of this state and the United States; an assumption, which the undersigned utterly disclaim, and against which they most solemnly protest. We are not aware of any defect in the constitution of the United States, which requires even a constitutional attempt at amendment—except the supposed one of *unequal or unfair representation* none has been pointed out—But as three fifths of the slaves, were enumerated in apportioning the representation among the several states, at the time of the adoption of the constitution, and the direct taxes were apportioned in the same way; as the New England states have a representation in the senate far greater than in proportion to their *free population*—as no attempt has been made for this alteration, in the mode prescribed by the constitution, and as this could not be effected before the election to the next congress, it is impossible to believe that an attempt of this sort, at this time, can justify this extraordinary convention, or that it is its principal object. But there are other objects more alarming in their nature, and pernicious in their tendency. It was wisely provided by the constitution, that no state should enter into any compact or agreement with another *without the consent of congress*. It was probably foreseen that disappointed and ambitious men, would attempt to form associations prejudicial to the general welfare and dangerous to the Union of the States. That these men would excite local jealousies, and attempt geographical distinctions—and that despairing of governing the *whole*, they would attempt a severance that they might govern a *part*.

It was therefore prudent and proper, that these compacts and agreements should be under the control of the *states* and the *people* represented in *congress*. It is therefore with great solicitude and concern that we have been led to enquire what "public grievances" can warrant the assembling of delegates of the states of New England, or what "affinity of interest" can authorise them to "devise means of preserving their own resources" to themselves. The respective states of New England, can now preserve all their resources, except such as are under the constitutional control of the United States. *Will they combine to take these?* Such a combination would be a resistance of federal authority. A civil

war would become inevitable; our enemy would profit by our dissensions, our union would be dissolved, our country conquered, and our liberty extinguished. Our country is engaged in a just and (of late) successful war. Our resources are abundant, our government is adequate, and our citizens are brave, enterprising and intelligent. Union alone, can secure us the blessings of an honorable peace. While our commissioners are negotiating with the most earnest solicitude for their country's welfare—while our army and navy are defending the soil and maintaining the honor and glory of our country; while our brave yeomanry are rushing like a torrent, from the mountains to the shore to meet and repel the invader, and the spirit of party is becoming absorbed in the spirit of patriotism, why should Massachusetts, great, powerful, respectable Massachusetts, form a combination which will defeat the hopes of the "friends of peace," and aid and encourage a powerful and vindictive enemy? With these views and feelings, the undersigned cannot but deeply regret, that a proposition so unpromising of good, destitute of important ostensible object, but full of distrust, jealousy and mischief, and calculated to alarm, divide and discourage the people, should ever have been adopted by the Senate of Massachusetts. Suspicions have been indulged that Massachusetts would take the lead of the New England states, in a combination to dissolve the Union; that as a preliminary step, a course similar to that contemplated in these resolutions would be adopted, and that a period of war would be selected for the purpose. By the adoption of these resolutions we apprehend that these suspicions will grow into a settled belief.

The raising an army of ten thousand men at the expense and under the command of the state, will have little tendency to diminish the alarm. However honorable and patriotic the motives for raising an army and refusing to place them under the orders and pay of the general government, we have strong apprehensions that the people of this commonwealth will have too much reason to believe that the honor to command, will not compensate for the burthen to pay; that a separate army comports too well with a separate sovereignty, and that these men may at some future period be employed to settle domestic quarrels or enforce local interests:

From the resolutions and preamble and circumstances attending the debate, the undersigned have strong reasons to apprehend that propositions for a separate peace, may grow out of a proposed meeting of delegates from the New-England states. Should such propositions from the British government be made to the convention, and should the terms, as they probably would, be very flattering to this section of the Union, the temptation of momentary gain might induce a compact with the enemy, introduce an army of foreign mercenaries, produce a civil war, which would end in a subjugation of both sections to the power of Great Britain.

Ambition has destroyed every other republic on earth. The United States stand alone, like a solitary rock in the midst of the ocean, surrounded and assailed by storms and tempests. In vain may we look for aid, except from Union, energy and HEAVEN: apprehending and believing, that from neither of these sources can we expect it, so long as we indulge in the adoption of such resolutions, we have prepared and signed the foregoing protest; and we pray that it may be entered on the journals of the senate.

John Howe, Mark Langdon Hill, Walter Folger, jr
Joseph Bemis, Samuel Hoar, William Moody, John Holmes, John Gage, Edmund Foster, Daniel Kilham,
M. Kinaley, Timothy Fuller, Albion K. Parris.

Senate Chamber, Oct. 15, 1814.

[The following protest, subscribed by SEVENTY-FIVE MEMBERS of the house of representatives, was presented and read by Mr. Lincoln, of Worcester, in behalf of the minority; and after some animated discussion, in which the language and sentiments were vindicated by Messrs. Green and Lincoln, the majority voted that it was disrespectful to the house, and refused to receive and place it upon the journals. It is now presented to the people, who will decide upon its merits, and the measures to which it applies.]

PROTEST.

The house of representatives having, at the present session, in concurrence with the honorable senate, adopted the report of a committee, "to whom was referred the message of his excellency, with the documents accompanying the same;" and having passed sundry resolutions contained in that report—The undersigned, members of the said house of representatives, having, in their place, objected and given their decided negative to said report; and to the passage of all the said resolutions, save the first, proposed therein—do now feel further constrained, by a consideration of the character of the measure contemplated, by apprehensions of the consequences which seem inevitable therefrom, by a sense of duty to themselves, to their constituents, and to their country, to make the most solemn protest thereto, and respectfully to offer the same to accompany the records of the adoption of the report, upon the journals of the house.

The undersigned contemplate, with no less concern than the majority, the difficulties and dangers which are pressing upon every side our beloved country. They see foreign power attempting our national subjugation, and domestic factions tributary to its accomplishment. They would witness with dismay the condition of the people, but for the deep conviction, that the spirit of patriotism and of self-respect will be sufficient for their ultimate redemption. In the duty to unite in defending our territory and repelling invasion from the soil of freemen, no American can for a moment hesitate. The sovereignty of the nation must be sacred; the integrity of the union inviolate. No party or local considerations shall ever influence the minority in the house, to a dereliction of their public trust. They will unite with the virtuous and patriotic of every political designation, not in sentiment only, but in action, and to the utmost of their physical strength, in defending the commonwealth and the union, their territory and their governments, from every aggression, and in resisting and repelling alike, invasions of whatever character, upon the one or the other.

But while the minority in this house will cordially subscribe to every proposition, and zealously co-operate in every measure for the defence and protection of any portion of their country, they cannot be unmindful that they are parties to a national compact, and that under government their measures and efforts are to be directed. Little would be gained by resisting foreign hostility, at the expence of order and security within. The undersigned impute no unworthy motive to the majority; but they owe to the majority and to the people, a vindication of their objections to the measures about to be adopted, and an admonition of the fatal consequences which these measures seem calculated to produce.

To a proposition for raising troops for the service of the country, the undersigned could not object. On the contrary, they concurred in the reasoning, that to raise troops is wise and prudent, most effectual in operation and economical in the issue. The experiment so often made of sudden detachments of militia for short periods of service, has left no doubt of the preference for a permanent

corps, which may be disciplined by time, accustomed to obedience by command, and which should look for a discharge, only to the accomplishment of the object for which they were employed. It is to be required, however, that when troops are raised, it should be under the provision of the constitution; that though their operations may be local, they should be ennobled by a national character, that in defending the state they should be recognized as contributing to the service of the union. While congress are bound to provide for the "general welfare, and the common defence," Massachusetts should not hastily exonerate himself from the obligation, nor should her legislature burden the people by the assumption of unnecessary and unexpected exertions. The constitution, in providing that *the president of the United States shall command the militia, while in actual service*, has implied a responsibility upon the general government for their support and compensation. If *this command* be denied, neither the letter of the national compact, nor its spirit, by just construction, will sanction a claim to remuneration, and the expence of troops, otherwise employed must fall exclusively upon the state. Notwithstanding the organization of an independent state corps, the obligation to the union will exist. It is not denied that a constitutional requisition *by the president*, may be made. The state corps, it is conceded, cannot by the terms of its organization, be ordered into the service of the United States. The state, therefore, must be reduced to the necessity of contributing to the support of a detachment of their militia, in addition to the exclusive expence of a state army, or of refusing a compliance with a constitutional requisition, in direct violation of national duty, and to the dissolution of the union. Because then, the state corps of 10,000 men is contemplated to be independent, under any circumstances, of the general government; not liable to be called into the service of the United States, nor subject to the like orders and duties with the militia therein, agreeably to the provisions of the constitution; and because the tendency of such an organization of troops is also calculated to subject this commonwealth to an undue proportion of the public burdens, or to induce to a gross violation of the national compact, we do most solemnly protest against, and object thereto.

Against the resolution proposing a convention of delegates from the New-England states, and the resolutions connected therewith, the undersigned feel bound by every dictate of duty and every suggestion of patriotism, most earnestly to remonstrate. To these resolutions they have opposed the utmost of their own reason, the language of the constitution, and the solemn and warning admonitions of *Washington!* However disguised or designed, the obvious tendency of propositions for a partial consequence by delegates from some states, without participation or consultation with other states, is to prepare the way for a separation and division of the union. The suggestion of a *peculiar interest* in the states of New-England upon subjects of *public grievance*, is predicated upon the idea, that this nation has not a community of object, and is not connected by a similarity of obligation. The constitution of the United States has prohibited in express terms, "one state from entering into any agreement or compact with another" without the consent of Congress. If, as the result of the conference of delegates on the part of New-England, a compact for *any purpose* is intended, the proposition for such conference, is as gross an infringement of the constitution as would be the compact when made. It cannot be admissible to pursue means to an end, which it is wrong and illegal to attain. Nor is there just pre-

terence of necessity for this measure. The framers of the constitution wisely provided for its amendment. Should abuses exist, growing out of supposed defects in the instrument, the mode of reform is definitely prescribed, and if in this way they are not to be corrected, neither can they in any other, short of a change in the form of government. It is not to be supposed that the states of the union will yield to the *dictates of a convention*, what they would refuse to the constitutional application of the legislature. The undersigned, therefore cannot disguise their apprehensions that more must be designed, than is distinctly avowed. The reasoning of the report, is supported by the alarming assumption, that the constitution has failed in its objects, and the people of Massachusetts are absolved from their allegiance, and at liberty to adopt another. In debate it has been reiterated, that the constitution is no longer to be respected, and that revolution is not to be deprecated. The bond of our political union is thus attempted to be severed, and in a state of war and of common danger, we are advised to the mad experiment of abandoning that protection, which the combined energies of the nation might afford, for the selfish enjoyment of our *present*, though partial resources. The resolutions of the legislature, it is to be feared, will be viewed by other states, as productive of this consequence, that *Massachusetts shall govern the administration, or the government shall not be administered in Massachusetts!* Jealousy and contention will ensue. The constitution, hitherto respected as the charter of national liberty and consecrated as the ark of our political safety, will be violated and destroyed, and in civil dissensions and convulsions, our independence will be annihilated, and our country reduced to the condition of vanquished and tributary colonies to a haughty and implacable foreign foe.

LEVI LINCOLN, jun.—and 75 others.

Cruise of the Peacock.

Copy of a letter from captain Warrington to the secretary of the navy, dated

U. S. sloop Peacock, New York, Oct. 30, 1814.

SIR—I have the honor to inform you of the Peacock's arrival at this place, after a cruise of one hundred and forty-seven days, during which all your remaining orders of the 28th February ult. have been executed, except that which related to the Naze and coast of Norway and which was omitted in consequence of that whole coast being under a strict blockade by a combined squadron of English and Swedish ships. Although the Peacock's success has not been so great as we had sanguinely expected, it is a pleasing reflection, that our disappointment has been occasioned by the uncommon severe weather, (with constant gales from south-west to north-west) which we experienced, from the time of striking soundings in the Irish channel, until we left the Shetland isles, and which had the double effect, of keeping in all their trade, and compelling us to be constantly beating off a lee shore.—We were four days between cape Clear and Waterford, in which time we made but three captures, the last of which, as she was of little value, we made a cartel of.—On the north west coast of Ireland we met with

very little better success as the bad weather still continued. From the Shetland Islands we ran for the Ferro isles, and then returned in soundings along the Irish coast, crossed the mouth of the channel, and bay of Biscay, and made cape Ortugal between which and the rock of Lisbon we cruised seven days, seeing in that time but twelve sail, nine of which we spoke and found but two of them English—From thence we run along the Portuguese coast, crossed the mouth of the Mediterranean and run within a degree and a half of the Madeiras, for the purpose of falling in with their West India and Teneriffe trade. On the 1st of September we made the Canaries, and attempted in vain to procure water at Fentaventura and Lauzarota, at the latter of which places we landed some prisoners. As a supply of water was now indispensably requisite, I determined to run for the Cape de Verdes, at one of which (St. Vincent's) after a week's work in digging and cleaning out wells, we obtained the requisite quantity, and then proceeded at an easy rate to the westward, steering alternately to the S. W. and N. W. to prolong our stay as much as possible, between the longitudes of 20 and 40 west, the track of all their East India, African and South American trade. Not a single vessel was however seen in all our run, and on the 6th of October we made the coast of Guiana, at the mouth of the Mariconi river, the next day we were off Surinam, from whence we run for Barbadoes, which we made on the 9th, and continued cruising to windward of Dereada and Barbuda for a few days, and then steered for our own coast, which we made on the 28th, at seven, A. M. a little to the westward of cape Henlopen.

It gives me much pleasure so inform you that from the time of our leaving New York in March last, until our return, we have lost but one man (Mr. Denizen Baldwin, M. mate, a promising officer,) and that our crew is in fine health. I trust that you will not think we have unnecessarily curtailed our cruise, when I inform you we have but fifteen days provisions on board at short allowance. I enclose a correct list of our captures.

I am respectfully,

L. WARRINGTON.

The Hon. Wm. Jones,
Secretary of the navy.

A list of British vessels captured by the U. S. sloop of war Peacock, L. Warrington, esquire, commander, between the 28th of February and 5th of October, 1814.

Brig Sea Flower, from St. Johns, bound to Barbadoes, belonging to Bermuda, 87 tons, cargo codfish, 10 men, 2 guns, St. Geo. R. Hinson, master, Trinidadians & co. owners, captured June 17th, off Grand Banks, value 20,000 dollars—burnt.

Brig Stranger from Buenos Ayres, bound to Greenock, belonging to Greenock, 180 tons, cargo hides and tallow, 13 men, 4 guns, Jas. Lawdon, master, R. Coekran and co. captured July 5th, off Flores, value 120,000 dollars—burnt.

Sloop Fortitude, from Liverpool, bound to London, belonging to Hastings, 88 tons, cargo salt, 6 men, Jas. Waters, master, Reedy and Burfield owners, captured off Waterford, value 10,222 dollars—sunk.

Brig Venus, from Bordeaux, bound to do, belonging to Irvine, 165 tons, cargo barley, oats, brandy and cork, 11 men, 2 guns, Pd. Kennedy, master, Dd. Kennedy & co. owners, 6 passengers captured off Yodaglen, value 30,000 dollars—sunk.

Brig Adiona, from Liverpool, bound to Quebec, belonging to Liverpool, 140 tons, cargo salt, 11 men, K. I. Halwell, master, 3 passengers, captured off Cork—cartel for 38 prisoners.

Sloop Leith Packet, from Teneriffe, bound to Dublin, belonging to Campbelltown, 116 tons, cargo Teneriffe wine, 8 men, Jno. Watson, master, J. & Wm. Watson, owners, captured August 1st off Shannon, value 32,000 dollars—sunk.

Sloop William and Ann, from Glasgow, bound to Limerick, belonging to Rathsey, 64 tons, cargo coals, 5 men, Robt. M'Phey, master, R. M'Phey and co. owners, captured Aug. 2d, off Innis Tuscany, value 32,000 dollars—sunk.

Sloop Peggy and Jane, belonging to Cumbria, 97 tons, cargo coal, crates and crown glass, 6 men, J. Duncan, master, J. Doican owner, captured August 3d, off Tory island, value 15,000 dollars—sunk.

Barque William, from St. Andrews, bound to Greenock, belonging to Bristol, 207 tons, cargo timber, 13 men, M. Whitney, master, 5 passengers, captured August 14, value 35,000 dollars—burnt.

Ship sir Ed. Fellow, from Quebec, belonging to Greenock, 307 tons, partly loaded with lumber, 14 men, 14 guns, Geo. Kelly, master, 3 passengers, captured 15th August—cartel for 50 prisoners.

Brig Bellona, from Cetta, bound to Hamburg, belonging to Jersey, 258 tons, cargo brandy, wine and verdigrease, 14 men, 6 guns, H. Langlois, master, Messrs. Emery's owners, captured 21st August off cape Ortugal, value 100,000 dollars—sunk.

Brig Triton, from St. Johns, bound to Lisbon, belonging to Teignmouth, 11 tons, cargo fish, 7 men, M. Harvey, master, Wm. Luckem Row, owner, captured August 23d, off cape Finistere, value 25,000 dollars—sunk.

Brig Duck, from Fentaventure, bound to Teneriffe, belonging to London, 174 tons, barilla, 10 men, 2 guns, J. Stephenson, master, Geo. Faith, owner, 2 passengers, captured Sept. 2d, off Fentaventure, value 21,000 dollars—sunk.

Ship Mary, from Point a Petre, bound to Halifax, belonging to Guadeloupe, 270 tons, cargo sugar, coffee, rum and molasses, 17 men, 3 guns, Jas. Gibson, Lewis Depprez, captured Oct. 12th, off Barbuda, value of 70,000 dollars—sunk.

Total value 494,232 dollars.

L. WARRINGTON.

Extract of a letter from A. Sinclair, esq. commanding the United States' naval force on the Upper Lakes, to the secretary of the navy, dated

U. S. S. Niagara Roads, off Erie, October 28th, 1814.

STR—I am under the mortifying necessity of stating to you that the report mentioned in my last letter of the vessels left in the upper lake having been surprised and captured by boats of the enemy, has turned out to be correct. The boatswain and four men from the Scorpion made their escape, on their way to Kingston, and crossed lake Ontario in skiffs from the bay of Quinte to the Genessee river, from thence to this place. The man's story is a most unfavorable one, and such as I am loath to believe true, from the well known character of lieutenant Turner. He says the blockade of the Nautawasaga river was raised a short time after my departure—that the lieutenant who commanded the navy (and who had escaped in the woods when she was destroyed) had passed up to Mackinac in boats, and it was by him and his crew they were captured. The Tigress had been separated from him five days among the islands, in which time she had been captured. They came in sight of her laying at anchor, in the evening; the wind being light, they anchored some distance from her, without passing signals. In the morning there was only four or five men, and no officer on deck. The Tigress got under way, run down, fired into them, and were on board without any report ever being made to Mr. Turner, nor was there an officer of any grade on deck when she was captured. The wind was light, the Scorpion had the advantage of a long 12 pounder over the other, and could have re-captured her with much ease. The Tigress had made great resistance, but was overpowered by an overwhelming force. Her commander (sailing-master Champlain) and all her officers were wounded, as were many of his men, and some killed. I had given lieutenant Turner a picked crew from this vessel, with my sailing-master, and had added to both their crews 25 chosen men, borrowed from colonel Croghan, to act as marines. I had also left him a boarding netting; indeed, there was no precaution I did not take in anticipation of every effort, I knew the enemy would make to regain their

line of communication, on which their very existence depended.

I herewith enclose you my instructions to lieutenant Turner—after which I cannot express to you, sir, my chagrin at learning the little regard which appears to have been paid to them, and the evil consequences growing out of such neglect; consequences but too well known to you and to the government. You must first believe the infinite interests I had taken in the expedition from the moment I had been entrusted with the conducting it, and the sanguine hope I had formed of its complete success, and the benefits resulting from it to my country, to enable you to form an adequate idea of the mortification I now experience.

I have the honor to remain, with high respect, sir, your obedient servant,

A. SINCLAIR.

Honorable William Jones, secretary of the navy.

Copy of a letter from captain Sinclair, to lieutenant Daniel Turner, dated

U. S. sloop of war Niagara, Nautawasago river Aug. 15, 1814.

SIR—Having accomplished the object for which the squadron came into this quarter, in the destruction of the enemy's whole naval force on this lake, I am on the eve of returning to lake Erie: but as it is all important to cut the enemy's line of communication from Michilimackinac to York, which is through the Nautawasago river, lake Sinclair, &c. and on which his very existence depends, you will remain here and keep up a rigid blockade until you shall be driven from the lake by the inclemency of the season, suffering not a boat or canoe to pass in or out of this river. I shall leave the Tigress with you. In case accident should happen to either one of the vessels, the other may afford her necessary assistance. Should you deem it proper to send the Tigress up to cruise a week or two, about St. Joseph's, in order to intercept the enemy's fur canoes between St. Marie's and French river, you can do so, as one vessel is sufficient to blockade this river.

I should recommend your immediately finding out anchorage to cover you from N. W. gales, as that is the only wind which can affect you in this bay. I see from the Nancy's Log Book, that the small island on the S. W. of this bay is such a place as you could wish, directions for which I herewith give you. The islands north of us, may also give you good anchorage; but always be sure of some good bottom before anchorage, as the loss of an anchor might prove of serious consequence to you. Should you find anchorage on both sides, I would recommend your changing frequently, and in a way not to be observed by the enemy, who might not only avail himself of your position to move out his boats in the night on the opposite side, but he might attempt surprising you by throwing a number of men on board. Against attacks of this kind, which he might be driven to by his desperate situation, as this blockade must starve him into a surrender by spring, I must particularly caution you. When the Tigress is here it would be well to be on the opposite shores—and sometimes to run out of sight, taking care to scour both shores as you return. I shall endeavor to annoy the navigation of the river by felling trees across its mouth in order that a portage must be performed there; which must be seen by you.

I wish you to take an accurate survey of this bay, and its islands, and if possible the one on the north of it, called Matschadash, observing all its islands, creeks, bays, shoals, anchorages, courses, distances, and soundings, particularly attending to the kind of bottom.

Should any thing occur to make it necessary, you can send the Tigress express to me. If we can keep

their boats from passing until October, I think the weather will effectually cut off all communication by any they have on float, and in the spring an early blockade will possess us of Mackinac.

You will be particularly careful in having communication with the shore, and when you send a party for wood, let it be on an island, under the protection of your guns, and a guard from both vessels. Wishing you a pleasant cruise,

I remain very respectfully, your most obedient servant,

(Signed)

A. SINCLAIR.

Lieut. comdt. David Turner, U. S. schr. Scorpion.

Congress.

HOUSE OF REPRESENTATIVES.

Thursday Nov. 3.—The house was chiefly occupied this day with the volunteer bill, which was ordered to be engrossed for a third reading.

Friday Nov. 4.—The volunteer bill was recommitted to a committee of the whole, in which it was considerably discussed, and again reported to the house with some amendments.

Saturday Nov. 5.—Mr. Johnson, chairman of the committee to investigate the causes that led to the capture of the city by the enemy, informed the house that that committee had been industriously engaged in the collection of papers and facts—he said they had received 11 reports, containing 359 pages, and 210 letters, besides daily and almost hourly interviews with persons on the subject.

Mr. Farrow offered the following which was agreed to without a division. *Resolved*, That the committee of Ways and Means be instructed to inquire into the expediency of laying a duty on all salary officers, and on the professional income of lawyers, solicitors and counsellors, and the legal proceedings of civil courts of justice.

An able legal discussion now took place on the report of the committee of claims on the petition of Thomas Cutts, which was unfavorable to the petitioner. Mr. Cutts, had purchased certain property at a *marshal's* sale which in due process of law he was dispossessed of by a third person—he therefore prayed the United States would reimburse the money he had paid to their officer. But the report of the committee was agreed to—81 to 53.

The remainder of the day was spent in discussing the volunteer bill—and the house adjourned at a late hour without a decision.

Monday Nov. 7.—The house was engaged the whole of this day in discussing the volunteer bill, which, from the quantity of talking about it, we suppose is important—except that at a late hour Mr. Fisk, of N. Y. reported a bill to establish a national bank, which was referred to a committee of the whole.

Tuesday Nov. 8.—Mr. M'Kim of Md. presented the memorial of sundry ship-owners and merchants of Baltimore, representing, that in consequence of the strict blockade of our bays and rivers, the private armed service is much discouraged, &c. and submitting so congress the expediency of authorising a bounty to be given for the destruction of the enemy's vessels. They state their opinion of the high effect of this sort of warfare on the enemy's commerce, and say that they are ready to give the best pledge of their sincerity in this belief, if encouragement be afforded, by entering largely into the enterprises against the commerce of the enemy. The memorial was read and referred.

The bill from the senate authorising the fitting out of not more than 20 vessels, to carry not less than 8, nor more than 14 guns; was read, and after considerable debate, in which several amendments were pro-

posed, and rejected by large majorities (except one offered by Mr. Ingersol to extend the *maximum* of force to 22 guns, at the discretion of the executive) was ordered to a third reading to-morrow.

Wednesday Nov. 9.—After the minor business had been disposed of, Mr. Eppes reported a bill to provide additional revenues &c. agreeably to the resolves of the house, already noticed in detail—and also amending the act laying duties on distilled spirits so as to continue it, and pledging it on some other tax to be levied in lieu of it, for the punctual performance of the engagements of the United States, and for establishing a sinking fund, &c. The bill was committed.

The bill from the senate to authorize the fitting out of certain small armed vessels was passed without opposition.

Progress was made in a good deal of other business.

Events of the War.

MISCELLANEOUS.

The Niagara frontier We learn indirectly, but we think the information may be relied on, that the greater part of gen. Izard's army had re-crossed the Niagara to Buffalo about the first inst. The remainder was yet at fort Erie, expected soon also to cross, as they had destroyed the outer works. No mention is made of the enemy, nor have we heard distinctly of the late movements of our army. We have nothing new from *Sackett's harbor*, except that *Brown's* presence seems to make it safe. The citizens of some of the neighboring countries had been called out *en masse*. It has become very cold on this frontier, and a deep snow fell some days ago—the campaign is probably closed. Every thing is quiet on the *Champlain* frontier. Our fleet was about to be laid up. It was reported the British were preparing to build *four frigates*.

News. The Russian ship *Hannibal*, has arrived at New York, in 50 days from Bremen, with a full cargo of German goods. She brings London dates to the 2d of September, and Bremen papers of the 5th, but they contain nothing of importance, except in regard to the internal regulations of the different European states. The following are the heads of the news—

A considerable number of ship wrights, &c. were to leave England for Canada. A general belief prevailed in England that the negotiation at *Ghent* was broken off; and it is said that Messrs. Bayard, Clay and Gallatin would assemble at Brest on the 10th Oct. to return home. This is probable enough. The great European congress was to meet at Vienna, Sept. 8. The military establishments of the several powers seem prepared for expected difficulties thereat. The emperor of Austria continues Bonaparte's order of the Iron Crown, himself Grand Master. Wellington, with 40,000 men, is said to be in Belgium. The idea has gone forth that *Bonaparte*

may be troublesome, but grounds for is not stated.

Doleful complaints are made in Great Britain of the enterprize, gallantry and skill of our seamen. As a sample of the terror they have inflicted, insurance between *England* and *Ireland* which used to be *three-fourths of one per cent* had risen to *five per cent*. We may exalt it to 15 before long.

The London Courier of Sept. 1, says that the sailing of the force assembled at Plymouth for America was stopped.

LORD HILL. Some rumors are afloat that lord Hill's expedition has been abandoned, the troops that were collected at *Cork*, &c. being dispersed—some sent to Holland. But we have no positive information of this matter. Accounts from Bermuda of the 19th ult. say he was not soon expected. Cockburn, was at Bermuda, but it did not seem that any expedition was fitting out.

THE INDIAN BOUNDARY, designed by the treaty of Greenville, (says the *Albany Argus*) commences at lake Erie, at the mouth of the Cayahogia, runs south to the head waters of the Muskingum, thence to fort Recovery on the Wabash, 98 miles W. by N. from Cincinnati, thence to the Ohio river, and thence on a course parallel to and near that river, to the Mississippi. The indian part embraces one third of Ohio, and near the whole of four territories, and comprises a tract of country, which, from its fertility, mildness of climate and equality of surface, Volney has denominated the future Flanders of America. It contains by computation 220 millions of acres, more than one third of our territory before the accession of Louisiana, which, at two dollars per acre, the present price of the public lands, would produce a revenue to the government of 440,000,000. Independent of political considerations, therefore, the *sine qua non* of the British commissioners, if acceded to, would deprive us and our posterity of one of the most certain and permanent sources of revenue.

PUBLIC CREDIT. The circumstances of the war have thrown a very unusual quantity of specie into the hands of the people to the eastward, and they are using the advantage for many undignified purposes. Before the war, a silver dollar was more of a rarity in those parts than a half eagle was in the middle states, and such will be the case again when trade resumes its wonted course. We propose to say something more on this matter a little while hence, and shew how those persons make a gain of injuring the *public credit*.

THE LOAN. We are proud to hear that the government has already obtained on good terms, without public advertisement, the whole, or nearly the whole of the loan, which in consequence of the approach of the enemy to the city in August last, was then only partly subscribed.—*Nat. Int.*

CONNECTICUT. The legislature of this state, after passing certain resolutions, (which shall be recorded) has appointed seven delegates to meet those of *Massachusetts*, &c. in convention at Hartford, in December next, to consult what measures it may be expedient for those states to adopt, in the present situation of the country, which shall not be inconsistent with the duty which they owe to the government of *United States*. The resolve passed the house of representatives—yeas 153, nays 36. The delegates are—His honor Chauncey Goodrich, hon. James Hillhouse, hon. John Treadwell, hon. Zephaniah Swift, hon. Nathaniel Smith, hon. Calvin Goddard, hon. Roger M. Sherman,

"BRITISH INFLUENCE." The following, said to be a letter from *Paris*, appeared in the *Boston Centinel* about *two months* ago; and the editor declared it was faithfully copied from the original which he had seen. It made a great noise at first, but hearing nothing of it since, we had consigned it to forgetfulness with the millions of similar tales that preceded it, long since dissolved into "thin air." But accidentally finding it among a parcel of scraps, we are induced to preserve the *precious morsel* to aid in the history of fiction.

When we first beheld it, the only thing that astonished us was—that something of the kind had not been published long ago!—as, immediately after the fall of *Paris*, several persons in the United States, hinted [to lord *Castlereagh*] that such stuff might be profitably used here! We, *therefore*, expected a giant lie.

If the charges be true—he is a villain of the most finished character that withholds the proof—if they be false—what must we think of the *desperation* of the man that would palm such trash on the public!

We are thoroughly advocates for the freedom of the press, yet as firmly fixed in the opinion that publishers should be made responsible for the calumnies they utter; and for this libel the editor ought to be brought before that senate which *he* accuses of the basest corruption. The letter is as follows—

"PARIS, MAY 26, 1814.

"The treaty is nearly concluded, and we shall once more see all the world in peace, excepting our own country—thanks to the wisdom of the democrats and the partizans of BONAPARTE! Since the war has been declared, he has NOT EXERCISED one single act of amity or friendship, either toward the nation or any individual. It is very well known by every one here who has connection with the government, that it was by bribery that the vote for the war was obtained. A gentleman employed in the office of the department of foreign affairs, told me that he saw on the books the names of the senators bribed, and the sums paid each of them by SERRURIER. I hope in a short time to be able to procure a copy of it, to send to you. The country was sold by ANXERONNE before he left *Paris*; and the war was decided upon; and in consequence he was made secretary of war, the better to accomplish the diabolical system. I hope the events which have taken place in Europe will enlighten the American people, and shew them their true interest, and that they will have resolution and patriotism enough to dismiss from their councils men who have so basely betrayed their country and the confidence that was reposed in them by their fellow citizens. This is the first step towards making an honorable and durable peace, which must be the desire of every true American.

THE STRANGER.—The board of war of Massachusetts purchased 39 of the 24 pounders, brought to Salem, in the prize ship *Stranger*.

TRADE. We have the pleasure to observe the late arrival of several Baltimore schooners (merchants) to and from the places of their destination.

LICENSED VESSEL. A letter from London, dated July 9 says—The court of appeals have this day reversed the sentence of condemnation in the case of the *Reward, Hill*; and decreed ship and cargo to be restored on payment of the expenses on the part of the crown, not the captors expenses.

[The *Reward* above named, was a licensed vessel that sailed from Salem in Oct. 1812, bound for Lisbon, with a cargo of flour, was taken into St. John's (N. B.) and condemned.]

A GOOD ONE!—Some weeks ago, (says a *Chillicothe*

paper) a party of governor Cass's pet Indians left Detroit for the purpose of making excursions on the river Thames. After remaining in that neighborhood some days, they collected and took prisoners forty-five of the British militia, among whom was one colonel. Having kept them a short time, these indians, animated by motives of humanity, permitted their prisoners to return to their homes, on their *parole of honor* not to appear in arms against the U. States or their allies until legally exchanged; at the same time taking care to detain the colonel as a hostage for the faithful performance of the contract on the part of the enemy. We understand that the colonel is in Chillicothe!

"NO PLEASING." The proposed national bank, but lately the grand desideratum of certain men, is now a dreadful thing. "Strike higher—strike lower."—said the culprit.

MR. BAYARD. A report prevails that the vacant office of secretary of state is held to be offered to Mr. Bayard. We hope it is so, and that he may accept it. He is an American. His return from *Ghent*, we apprehend, may be soon expected; and we venture to say, from a personal knowledge of the stamina of the gentleman, that no man in the United States will go further to resist the outrageous pretensions of the enemy than Mr. Bayard.

LOUISIANA. We have encouraging accounts of the patriotic spirit of the people of Louisiana. Of the American population, by far the greater and most efficient part, we had no doubt, but it appears also that the French are emulating them.

JAMAICA, AUG. 27. G. Hibbert, Esq. has protested against the dangerous measure of employing American slaves in our invasion of that country which ministers have denied all knowledge of, but admit a discretionary power in our commanders to bring off such as may assist our operations, a power which, we fear, will in some cases be extended farther than it ought.

Our West India committee have instructed our agent in England to represent to ministers the disadvantages our colonies will labor under in competition with the colonies of the continental powers as to the continental markets. [The markets of the United States would greatly benefit the British Islands.]

RHODE-ISLAND. The legislature of this state, now in session, have appointed Messrs Ben. Haggard and Daniel Lyman and cols. Marston and Lloyd as their delegates to the "New-England convention."

MILITARY.

We understand (says the *National Intelligencer*) that captain Leonard, the officer who surrendered fort Niagara to the enemy last winter, has been exchanged and is now under arrest. He will be tried as soon as officers can be spared from field duties for that purpose.

NAVAL.

It is stated that two India ships have been captured by one of our privateers.

All the American vessels that have sailed for Canton since the war, had arrived there. But were closely watched off the Chinese coast by the British, and were chiefly laid up.

A number of the enemy have been made prisoners in the *petit guerre* on the Eastern coast.

Copy of a letter from captain Porter to the secretary of the navy dated

New York, Oct. 29, 1814.

SIR—I have the pleasure to inform you that the United States' *Fulton the First*, was this

morning safely launched. No one has yet ventured to suggest an improvement that could be made in this vessel, and to use the words of the projector "I would not alter her if it were in my power to do so." She promises fair to meet our most sanguine expectations, and I do not despair of being able to navigate in her from one extreme of our coast to the other. Her buoyancy astonishes every one; she now draws only eight feet three inches water, and her draft will be only ten feet with all her guns, machinery, stores and crew on board; the ease with which she can now be towed with a single steam boat, renders it certain that her velocity will be sufficiently great to answer every purpose, and the manner it is intended to secure her machinery from the gunner's shot leaves no apprehension for its safety.

I shall use every exertion to prepare her for immediate service; her guns will soon be mounted, and I am assured by Mr. Fulton that her machinery will be in operation in about six weeks.

I have the honor to be, with great respect,
your obedient servant. D. PORTER.
The honorable Wm. Jones,
Secretary of the navy.

National Bank Bill.

The bill reported in the house of representatives, "to incorporate the subscribers to the bank of the United States of America," being too long for insertion *in extenso*, we have made the following abstract of its provisions for the information of our readers.

Sec. 1. A bank of the United States of America shall be established, the capital stock to be fifty millions, divided into 100,000 shares of 500 dollars each; subscriptions to be opened on the first Monday of at Boston, New-York, Philadelphia, Baltimore, Richmond, Charleston and Pittsburgh, to continue open one week, at the end of which time the subscriptions are to be transmitted to the Philadelphia commissioners, who, if the total of subscription exceeds thirty of the fifty, shall apportion the same among the subscribers in a just and equal ratio, and cause lists of the same to be returned to the respective commissioners, &c.

Sec. 2. Any individual or body politic may subscribe any number of shares not exceeding 1000. Payment to be made in the following manner: one fifth part in gold or silver coin of the United States; three fifth parts in the same, or in the stock of the 11,000,000 loan, or of any future loan; and one-fifth part in gold or silver coin, or in treasury notes—and at the following times: at the time of subscribing, 20 dollars in specie, and 200 more in stock, &c. within four months thereafter, the further sum of 40 dollars in specie, and 100 in specie or stock; in six months from the time of subscribing, 40 dollars in specie, and 100 dollars in stock.

Sec. 3. At the time of subscription aforesaid the secretary of the treasury shall subscribe for the United States 20 millions of dollars in stock to bear 6 per cent. interest, redeemable in such sums and manner as the government shall deem expedient.

Sec. 4. The secretary of the treasury may redeem the treasury notes so subscribed to the banks by six

per cent. stock of an equal amount to be delivered to the bank.

Sec. 5. creates the subscribers, their successors and assigns, a body politic, with full powers, &c. subject to the limitations in the succeeding sections to exist and have being until the 3d day of March 1835.

Sec. 6. There shall be 25 directors to the bank annually appointed, viz. twenty by the stockholders, and five by the president of the U. States.

Sec. 7. As soon as \$13,200,000 in specie and stock shall be paid in, public notice shall be given by the Philadelphia commissioners, and within days thereafter the first directors shall be chosen, who shall proceed to elect a president to the institution.

Sec. 8 and 9, give the necessary banking powers, and establish the usual regulations contained in bank charters; limiting and defining their powers;

Sec. 10. Prohibits the bank from mercantile speculations.

Sec. 11. Prohibits the bank from lending to the government of the United States at any time more than 300,000 or to the government of any particular state more than 50,000, or for the use of any foreign power, without express authority by law.

Sec. 12. makes the notes of the bank receivable in all payments to the U. States.

Sec. 13. If at any time an undue pressure for specie is made on the bank, either for exportation, or with a wilful intention of sinister design to injure the bank, the president of the United States may, on being duly informed thereof, direct suspension of the payments in specie temporarily.

Sec. 14. exempts the stock (but not the real estate) of the bank from taxation.

Sec. 16. No new bank to be created during the existence of this; and grants powers to settle the affairs of the bank extended beyond the term of incorporation.

Sec. 16. Whenever required, the corporation shall perform all the duties now transacted by commissioners of loans in the several states.

Extraordinary voyage. The Russian ship General Suwarrow, now at Portsmouth, is about to proceed on what may appear a most extraordinary voyage, being none other than the completion of two military and commercial establishments on the west coast of North America. The Russian government have, for nearly ten years past, had a fort, with a few pieces of ordnance mounted on the island of Rodlak, in 55, N. long 162, W. being the nearest point of the American continent to their establishment, at Kamschaka. Within these four years they have begun to form another establishment, on the neck of land called California, and this ship takes out ordnance and stores of every description, to give it an appearance of military strength. The trade the Russians carry on thither, which is very great, is wholly in furs, for which article they find a lucrative market in China, from whence they bring to Europe the produce and manufactures of that country, and are enabled, from their competition with each other, to afford it to the European continent at a cheaper rate, than in this country. The General Suwarrow will also endeavour in the height of next summer, to discover a passage through Bhering's Straits, and, in a north westerly direction, to Archangel. A gentleman who is on board her declares, that on a former voyage of discovery, he was more than half way through the northern seas of Cape North to Archangel when the ship was stopped by the ice—this adventure left only about 400 miles unexplored, to complete the circuit of the world.—*London papers.*