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DOCUMENTS

ACCOMPANYING THE PRESIDENT'S MESSAGE.—(CONTINUED.)

MR. FOSTER TO MR. MONROE.

Philadelphia, Sept. 5, 1811.

SIR,

The Chevallier d'Onis, who has been appointed Minister from his Catholic Majesty to the United States, has written to inform me that he understands by letters from the Governor of East Florida, under date of the 14th ult, that Governor Matthews, of the state of Georgia, was at that time at Newtown St. Mary', on the frontiers of Florida, for the purpose of treating with the inhabitants of that province for its being delivered up to the United States' government, that he was with this view using every method of seduction to effect his purpose, offering to each white inhabitant who would side with him 50 acres of land and the guarantee of his religion and property; stipulating also that the American government would pay the debts of the Spanish government, whether due in pensions or otherwise, and that he would cause the officers and soldiers of the garrisons to be conveyed to such place as should be indicated, provided they did not rather choose to enter into the service of the U. States.

M. d'Onis has done me the honor to communicate to me a note which he purposes transmitting to you, sir, in consequence of this detached and most extraordinary intelligence, and considering the intimate alliance subsisting between Spain and Great Britain, as well as the circumstances under which he is placed in this country, he has urgently requested that I would accomplish his representation with a letter on my part in support of it.

After the solemn asseverations which you gave me in the month of July, that no intentions hostile to the Spanish interests in Florida existed on the part of your government, I am wholly unable to suppose that Governor Matthews can have had orders from the President for the conduct which he is stated to be pursuing; but the measures he is stated to be taking in corresponding with traitors, and in endeavoring by bribery and every art of seduction to infuse a spirit of rebellion into the subjects of the king of Spain in those quarters, are such as to create the liveliest inquietude, and to call for the most early interference on the part of the government of the United States.

The government of the United States are well aware of the deep interest which his Royal Highness the Prince Regent takes in the security of Florida, for any attempt to occupy the Eastern part of which by the United States not even the slightest pretext could be alledged, such as were brought forward in the endeavor to justify the aggression on West Florida.

I conceive it therefore to be my duty, sir, in consideration of the alliance subsisting between Spain and G. Britain, and the interest of his majesty's subjects in the West India Islands, so deeply involved in the security of East Florida, as well as in pursuance of the orders of my government in case of any attempt against that country, to lose no time in calling upon you for an explanation of the alarming steps which governor Matthews is stated to be taking for subverting the Spanish authority in that country, requesting to be informed by you upon what authority he can be acting and what measures have been taken to put a stop to his proceedings.

I have the honor to be, &c.

(Signed) AUG. J. FOSTER.

The honorable James Monroe, &c. &c.

MR. MONROE TO MR. FOSTER.

November 2, 1811.

SIR,

I have had the honor to receive your letter of Sept. 5th, and to submit it to the view of the President.

The principles which have governed the United States in their measures relative to West Florida, have already been explained to you. With equal frankness I shall now communicate the part they have acted with respect to East Florida.

In the letter which I had the honor to address to you on the 8th of July, I stated the injuries which the United States had received from Spain, since their revolutionary war, and particularly by spoliations on their commerce in the last war, to a great amount, and of the suppression of their right of deposit at New Orleans, just before the commencement of the present war, for neither of which has reparation been made. A claim to indemnity for these injuries, is altogether unconnected with the question relating to West Florida, which was acquired by cession from France in 1803.

The government of Spain has never denied the right of the United States to a just indemnity for spoliations on their commerce. In 1802 it explicitly admitted this right by entering into a convention, the object of which was to adjust the amount of the claim, with a view to indemnity. The subsequent injury by the suppression of the deposit at New Orleans produced an important change in the relations between the two parties, which has never been accommodated.—The United States saw in that measure eminent cause of war, and that war did not immediately follow cannot be considered in any other light than as a proof of their moderation and pacific policy.—The Executive could not believe that the government of Spain would refuse to the United States the justice due to these accumulated injuries, when the subject should be brought solemnly before it, by a special mission. It is known that an Envoy Extraordinary was sent to Madrid in 1805 on this subject, and that the mission did not accomplish the object intended by it.

It is proper to observe, that in the negociation with Spain in 1805, the injuries complained of by the United States of the first class were again substantially admitted to a certain extent, as was that also occasioned by the suppression of the deposit at New Orleans, although the Spanish government, by disclaiming the act, and imputing it to the Intendant, sought to avoid the responsibility due from it; that to make indemnity to the United States for injuries of every kind, a cession of the whole territory claimed by Spain Eastward of the Mississippi was made the subject of negociation, and that the amount of the sum demanded for it was the sole cause that a treaty was not then formed, and the Territory added.

The United States have considered the government of Spain indebted to them a greater sum for the injuries above stated, than the Province of East Florida can by any fair standard between the parties be estimated at. They have looked to this Province for their indemnity, and with the greater reason, because the government of Spain itself has countenanced it. That they have suffered their just claims so long unsatisfied, is a new and strong proof of the moderation, as it is of their respect for the disordered condition of that power. There is, however, a period beyond which those claims ought not to be neglected. It would be highly improper for the United States, in their respect for Spain, to forget what they owe to their own character, and to the rights of their injured citizens.

Under these circumstances it would be equally unjust and dishonorable in the United States to suffer East Florida to pass into the possession of any other power. Unjust, because they would thereby loose the only indemnity within their reach, for injuries which ought long since to have been redressed. Dishonorable, because in permitting another power to wrest from them that indemnity, their inactivity and acquiescence could only be imputed to unworthy motives. Situated as East Florida, is cut off from the other possessions of Spain, and surrounded in a great measure by the Territory of the United States; and having also an important bearing on their commerce, no other power could think of taking possession of it, with other than hostile views to them. Nor could any other power take possession of it without endangering their prosperity and best interests.

The United States have not been ignorant or inattentive to what has been agitated in Europe, at different periods, since the commencement of the present war, in regard to the Spanish provinces in this hemisphere; nor have they been unmindful of the consequences into which the disorder of Spain might lead in regard to the Province in question, with due care to prevent it. They have been pursuaded that remissness on their part might invite the danger, if it had not already done it, which it is so much their interest and desire to prevent. Deeply impressed with these considerations, and anxious, while they acquitted themselves to the just claims of their constituents, to preserve friendship with other powers, the subject was brought before the Congress at its last session, when an act was passed authorising the Executive to accept possession of East Florida from the local authorities, or to take it against the attempt of a foreign power to occupy it, holding it in either case subject to future and friendly negociation. This act therefore evinces the just and amicable views by which the United States have been governed, towards Spain, in the measure authorised by it. Our ministers at London and Paris were immediately apprised of the act and instructed to communicate the purport of it, to the governments, and to explain at the same time, in the most friendly manner, the motives which led to it. The President could not doubt that such an explanation would give all the satisfaction that was intended by it. By a late letter from the American charge d'affairs at London, I observe, that this explanation was made to your government in the month of last. That it was not sooner made was owing to the departure of the minister plenipotentiary of the U. States before the instruction was received.

I am persuaded, sir, that you will see in this view of the subject, very strong proof of the just and amicable disposition of the United States towards Spain of which I treated, in the conference, to which you have alluded. The same disposition still exists; but it must be understood that it cannot be indulged longer than may comport with the safety, as well as with the rights and honor of the nation.

I have the honor to be, &c. &c.

JAMES MONROE.

[The above concludes the correspondence between Mr. Monroe and Mr. Foster, and embraces the whole of it, with the exception of the three following notes, which appear to have been introductory to the opening of the written intercourse between the Secretary of State and the British Minister]

FROM MR. FOSTER TO MR. MONROE.

Washington July 2d, 1811.

SIR,

I have the honor to inform you that I have received the special commands of his royal Highness the Prince Regent, acting in the name and on the behalf of His Majesty, to make an early communication to you of the sentiments which his Royal Highness was pleased, on the part of his majesty to express to Mr. Pinkney, upon the occasion of his audience of leave.

His royal highness signified to Mr. Pinkney the deep regret with which he learnt that Mr Pinkney conceived himself to be bound by the instructions of his government to take his departure from England.

His royal highness informed Mr Pinkney, that one of the earliest acts of his Government, in the name and on the behalf of his majesty, was to appoint an envoy extraordinary and minister plenipotentiary to the government of the United States; & added that this appointment had been made in the spirit of amity, and with a view of maintaining the subsisting relations of friendship between the two countries.

His royal highness further declared to Mr Pinkney that he was most sincerely and anxiously desirous on the part of His Majesty, to cultivate a good understanding with the United States by every means consistent with the preservation of the maritime rights and interests of the British empire.

His royal highness particularly desired that Mr. Pinkney would communicate these declarations to the United States in the manner which might appear best calculated to satisfy the president of his royal highness' solicitude to facilitate an amicable discussion with the Government of the United States upon every point of difference which had arisen between the two governments.

I have the honor to be, with the greatest respect and consideration, sir, your most obedient humble servant,

AUG. J. FOSTER.

To the Honorable James Monroe, &c. &c. &c.

MR. MONROE TO MR. FOSTER.

Department of State, July 6. 1811.

SIR,

I have had the honor to receive your letter of the 2d inst. in which you express the regret of his royal highness the Prince Regent, at the departure of the American Minister from Great Britain, and state that it was one of the first acts of his government to appoint an envoy extraordinary and minister plenipotentiary to the government of the United States, with a view of maintaining the subsisting relations of friendship between the two countries, and that he was solicitous to facilitate an amicable discussion with the government of the United States upon every point of difference which had arisen between the two governments.

I am instructed by the President to acknowledge to you the great satisfaction, which he has derived from the communication which you have made of the disposition of his royal highness the Prince Regent, to cultivate friendship with the United States, and to assure you that the prompt & friendly measure, which he adopted, by the appointment of an envoy extraordinary and minister plenipotentiary to this country, to maintain the relations of friendship and facilitate an amicable discussion on every point of difference that had arisen between the two Governments is considered as a favorable and interesting proof of that disposition.

I am also instructed by the President to state his ready disposition to meet in a similar spirit these frank and friendly assurances of the Prince Regent, and that nothing will be wanting on his part, consistent with the rights of the United States, that may be necessary to promote the re establishment, in all respects, of that good understanding between the two countries, which he considers to be highly important to the interests of both.

Permit me to add, sir, that if, as the organ of my government, I can be in any degree instrumental in concert with you, in promoting such a result, I shall derive from it a very great and sincere satisfaction.

I have the honor to be, &c.

(Signed) JAS. MONROE.

MR. FOSTER TO MR. MONROE.

Washington, July 7, 1811.

SIR,

I beg leave to acknowledge the receipt of your letter dated yesterday in answer to mine of the 2 inst and to assure you that it gives me very sincere pleasure to have to transmit for the purpose of being laid before his royal highness the Prince Regent, acting in the name and on the behalf of his majesty, so satisfactory a testimony of the amicable manner in which the President of the U. States has received the instances and assurances of a friendly disposition on the part of his royal highness towards the United States, which by command of his royal highness I had the honor to communicate to the President thro' you.

The assurances which you have added, sir, of the gratification that you would yourself derive if, as the organ of your government, you could be instrumental towards re establishing a good understanding between both our countries, are too congenial with my own feelings on the subject not to be received with very high consideration.

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

AUG J. FOSTER.

[Here follows a correspondence of Mr. Pinkney with the British government, omitted in the Star.]

Correspondence of John Spear Smith, Esq. our present Charge des Affairs in G. Britain.

Extract of a letter from John S. Smith, Esq. to the Secretary of State, dated London 15th May, 1811.

"I had yesterday for the first time an interview with Lord Wellesley. I presented to him the letters of introduction that Mr. Pinkney had given me and he received me in the most polite manner."

Mr. Smith Charge des Affairs at London, to the Marquis Wellesley, dated

MAY 17, 1811.

MY LORD,

I have the honor to inform your Lordship (from official information, this day received by me from Paris) that all the American vessels which have voluntarily arrived in France, since the first of Nov. have been admitted. This (if any additional evidence of the repeal of the Berlin and Milan decrees were wanting,) will sufficiently establish the fact of their revocation, as most of the vessels now admitted, would otherwise have been subject to the operation.

I have the honor to be, with the greatest respect, your Lordship's most obedient and humble servant.

(Signed) J. S. SMITH.

The most noble, the Marquis Wellesley, &c. &c.

Extract of a letter from Mr. John S. Smith to the Secretary of State, dated

"LONDON, 8th JUNE, 1811.

"Enclosed is the copy of a letter which I addressed to Lord Wellesley on the 5th inst. I had delayed making this communication, in the hope that I should do it at the interview which he had promised me, and which I again requested on the 3rd inst. I did not consider it necessary to enter at length into a subject which has been so often and so ably discussed, and on which nothing has been left to add. I shall, however, enter into any explanations that may be necessary when I again see his Lordship."

MR. JOHN S. SMITH TO LORD WELLESLEY.

18, *Bentick street, 5th June 1811.*

MY LORD,

I have the honor to communicate to your Lordship the copy of an act passed during the last session of Congress, which, though it renews certain parts of the Non Intercourse law against this country, yet it carefully gives to the President the authority to repeal it "when Great Britain shall so revoke or modify her edicts as that they shall cease or violate the neutral commerce of the United States." In this, as well as in the other provisions of the act, His Majesty's government cannot fail to observe the invariable disposition of the U. States, to preserve harmony with Great Britain, and to re-establish that happy intercourse between the two nations, which it is so much the interest of both to cultivate and the President confidently expects that His Majesty will not hesitate to abandon a system, always urged to be, merely retaliatory, now that its causes have ceased to exist.

I have the honor to inform your Lordship that the gentleman who will be the bearer of my despatches to the U. States in the John Adams, will leave town on Friday evening, and I shall be happy to forward by the same occasion any despatches that your Lordship may wish to send to the United States.

I have the honor to be, &c.

(Signed) J. S. SMITH.

The most noble Marquis Wellesley.

Mr. Smith, Charge d' Affaires at London, to the Secretary of State of the United States.

London, 6th June, 1811.

SIR,

I have the honor to enclose a report of the trial of the Fox and others.

The John Adams will leave Cowes this week. The messenger goes down tomorrow evening.

I have the honor, &c. &c.

(Signed) J. S. SMITH.

The Hon. the Secr'y of State, &c. &c. &c.

[The abovementioned report has been heretofore published in the Intelligencer]

Extract of a letter from Mr. J. S. Smith, to the Secretary of State, dated

"London, 16th June, 1811.

On the 9th inst. the day after Mr. Hamilton left town with my despatches, I received the enclosed note from Lord Wellesley, appointing Tuesday, the 11th, to see me at his house. I immediately wrote to Captain Dent to detain the frigate until he heard from me again; but had gone to sea before my letter reached Cowes, and I am now compelled to send this by another opportunity.

I waited on Lord Wellesley according to his appointment. He commenced the conversation by observing, that whenever there was any thing of importance to be communicated, it was better to do it in writing, as when merely verbal, it was liable to be misunderstood; that he did not mean any thing personal to me; that the same rule was observed with the other foreign agents here, and was customary. I replied, that in the note which I had written him, enclosing the Non-Importation Act, I had not gone into a lengthy discussion, as that whatever I might say would be only a recapitulation of what had so often been written. I however proceeded to explain the new act, and to remark to him the particularly amicable nature of the second section of it; that I conceived this to be a most favorable opportunity for Great Britain to abandon her system of restrictions, & particularly at this moment, when I had communicated practical instances of the repeal of the obnoxious measures of France. He said that he did not think they would do any thing before they heard from Mr. Foster, who had full instructions upon this and the other points in dispute.

I turned the conversation to the subject of your letter of the 22d of January, and asked him if Mr. Pinkney had given any explanations about the taking possession of West Florida. He replied, that the first he had heard of it was through Mr. Merrier, though he had reason to expect something from Mr. Pinkney; that Mr. Foster, however was instructed on this point, I asked if East Florida was included in these instructions? He replyed that it was. I then communicated to him the substance of your letter, and explained with frankness the intentions of the U. States. He expressed his wish that this, as well as other subjects, should lay over until they heard from America.

I shewed him the letter of the President to his majesty containing Mr. Pinkney's permission to return. He said that it would be proper that I should write him a note, enclosing his letter, and requesting him to present it to the Prince Regent.

The vessels detained here under the Orders in Council have not yet been finally condemned, and I represented to Lord Wellesley how important it was that they should be released, or then they should be still suspended. He said that he desired it also, but that private rights being concerned, it was difficult for government to interfere for their longer suspension. I am induced to believe that they will wait until they hear from Mr. Foster.

Extract of a letter from John Spear Smith, Esq. to the Secretary of State of the United States, dated

LONDON, 27th June, 1811.

"I have the honor to enclose a copy of the final decision of Sir Wm. Scott in the case of the Fox and others."

"The Court on Tuesday last, the 25th inst. condemning the remaining American vessels captured under the Orders in Council. As soon as I can procure a correct list of them, I will have the honor to forward it. The seamen who are left destitute by these condemnations will be taken care of by Gen. Lyman. They are of course numerous.

Extract of a letter from Mr. J. S. Smith, to the Secretary of State, dated

LONDON, July 10, 1811.

"Enclosed is a list of the American