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Documents

Accompanying the President's Message of the 12th of November.

MR. RUSSELL TO MR. MONROE.

London, 19th Sept. 1812

SIR,

On the 12th inst. I received your letter of the 27th of July last, and the copies of my note to Lord Castlereagh, and of his Lordships reply enclosed herein, will inform you that the propositions, made in consequence of it, have been rejected.

As I have but this moment heard of the immediate departure of the Friends, I have time only to add, that I have received the communications of Mr. Graham of the 9th and 10th of August, by the Gleaner, and that I leave London this evening, to embark on board the Lark, at Plymouth, for New York.

I am, with great respect and consideration, sir, your faithful and ob't serv't.

(Signed) JONA. RUSSELL.

Postscript.

An interesting interview took place between Lord Castlereagh and myself on the 16th inst. the account of which I must, for want of time, reserve until I have the honor to see you.

MR. RUSSELL TO LORD CASTLEREAGH.

18, *Bentinck St. 12th Sept.* 1812.

Private.

MY LORD—In consequence of additional instructions which I received from my government this morning, I called about noon at the foreign office, and found with regret that your lordship was out of town. My object was to communicate to your lordship the powers under which I act, that you might perceive their validity and extent. I have however sought to state them substantially in the official letter which I have herewith the honor to transmit to your lordship, but should you find any thing that stands in need of explanation, previous to being submitted to his Royal Highness, I shall remain at 18, Bentinck Street, to receive the commands of your Lordship. If your lordship could, in courtesy, find any motive in my personal convenience to hasten a decision upon the propositions which I have submitted; the season of the year, my anxiety to depart (all my arrangements being made and all my baggage having left town) and the detention of the Lark at much expence, will plead powerfully in my favor.

I have the honor to be, with great consideration, your Lordship's very ob't and very humble servant. (Signed) JONA. RUSSELL.

Lord Viscount Castlereagh, &c. &c. &c.

MR. RUSSELL TO LORD CASTLEREAGH.

18. *Bentinck St. 12th Sept.* 1812.

MY LORD—I hasten, authorised by instructions recently received from the government of the U. States, and urged by an unfeigned anxiety to arrest the calamities of war, to propose to your Lordship a convention for the suspension of hostilities, to take effect at such time as may be mutually agreed upon, and stipulating that each party shall forthwith appoint commissioners, with full powers to form a treaty, which shall provide, by reciprocal arrangements, for the security of their seamen, from being taken or employed in the service of the other power; for the regulation of their commerce, and all other interesting questions now depending between them, and that the armistice shall not cease without such previous notice by one to the other party, as may be agreed upon, & shall not be understood as having any other effect, than merely to suspend military operations by land and by sea.

In proposing to your Lordship these terms for a suspension of hostilities, I am instructed to come to a clear and distinct understanding with his Britannic Majesty's government, without requiring it to be formal, concerning impressment, comprising in it the discharge of the citizens of the U. States already impressed; and concerning future blockades: the revocation of the orders in Council being confirmed.

Your Lordship is aware that the power of the government of the United States to prohibit the employment of British seamen must be exercised in the sense and spirit of the constitution; but there is no reason to doubt but that it will be so exercised effectually and with good faith.

Such a measure, as it might by suitable regulations and penalties be made completely effectual and satisfactory, would operate almost exclusively in favor of G. Britain; for as few American seamen ever enter voluntarily into the British service, the reciprocity would be nominal, and it is sincerely believed that it would be more than an equivalent for any advantage she may derive from impressment.

By the proposition which I have now the honor to make in behalf of my government, your Lordship will perceive the earnest desire of the President to remove every obstacle to an accommodation, which consists merely of form; and to secure the rights and interests of the U. S. in a manner the most satisfactory and honorable to G. B. as well as America.

The importance of the overture now made, will I trust, obtain for it the early consideration of his Royal Highness, the Prince Regent, and I shall detain the vessel in which I have taken my passage to the United States, until I have the honor to learn his decision.

I have the honor to be, my Lord, with high consideration, your Lordship's most obedient servant. (Signed) JONA. RUSSELL.

Lord Viscount Castlereagh, &c. &c. &c.

LORD CASTLEREAGH TO MR. RUSSELL.

Lord Castlereagh presents his compliments to Mr. Russell, and requests to have the honor of seeing him at his house in St. James's Square, at 9 o'clock this evening.

Foreign Office, Sept. 16, 1812.

N. B.—Received a little before 5 o'clock.

MR. HAMILTON TO MR. RUSSELL.

DEAR SIR—I have not seen Lord Castlereagh since his receipt of your two letters of the ——— but have received his directions to say to you that he is concerned that he cannot have it in his power to reply to them for a few days; or would have had much pleasure in attending immediately to your request in that respect. You may be assured that no delay will take place, which can be avoided.

I am, dear sir, faithfully yours,

W. HAMILTON.

Foreign Office, Sept. 16, 1812.

Jonathan Russell, Esq. &c.

MR. RUSSELL TO MR. HAMILTON.

DEAR SIR—I have learnt with much regret and disappointment, that Lord Castlereagh has directed you to inform me that it is not in his power to give an immediate answer to the last letters which I have had the honor to address to him.—The object of those letters was of a nature to require an early decision. Reluctant, however, by any precipitance on may part, to protract the present unhappy relations between the two countries, I beg you to acquaint his Lordship that I shall remain in town until Sunday (the 20th inst.) when, unless some special and satisfactory reason be assigned for a longer delay, I shall consider it to be my duty to proceed to Plymouth to embark for the U. States.

I am, dear sir, with great truth and respect,

Your obedient servant,

(Signed) JONA. RUSSELL.

18. *Bentinck St.* 16 *Sept.* 1812.

N. B.—Sent at 3 o'clock.

LORD CASTLEREAGH TO MR. RUSSELL.

Foreign Office, Sept. 18th, 1812.

SIR,

Under the explanations you have afforded me of the nature of the instructions which you have received from your government, I have, as on the preceding occasion, been induced to lay your letter of the 12th inst. before his Royal Highness the Prince Regent.

His Royal Highness commands me to express to you his regret that he cannot perceive any substantial difference between the proposition for a suspension of hostilities which you are now directed to make, and that which was contained in your letter of 24th of Aug. last. The form of the proposed arrangement, it is true, is different; but it only appears to aim at executing the same purpose in a more covert, and, therefore, in a more objectionable manner.

You are now directed to require, as preliminary to a suspension of hostilities, a clear and distinct understanding, without, however, requiring it to be formal on all the points referred to in your former proposition. It is obvious that, were this proposal acceded to, the discussion on the several points must substantially precede the understanding required.

This course of proceeding, as bearing on the face of it a character of disguise, is not only felt to be in principle inadmissible, but as unlikely to lead in practice to any advantageous result; as it does not appear on the important subject of impressment that you are either authorised to propose any specific plan, with reference to which the suspension of that practice could be made a subject of deliberation, or that you have received any instructions for the guidance of your conduct on some of the leading principles, which such a discussion must in the first instance involve.

Under these circumstances the Prince Regent sincerely laments that he does not feel himself enabled to depart from the decision, which I was directed to convey to you in my letter of the 2d inst.

I have the honor to be, Sir, your most obedient servant, CASTLEREAGH.

Jonathan Russell, Esq. &c.

MR. RUSSELL TO MR. MONROE.

London, 9th Sept. 1812.

SIR,

Since writing you this morning, fearing that this government should infer from my silence an acquiescence in the strange and unwarrantable view which Lord Castlereagh has in his last note thought fit to take of the overtures which I have submitted, and of the powers under which I acted, I have considered it my duty to return an answer, of which the enclosed is a copy.

With great consideration and respect, I am, sir, your assured and ob't servt.

(Signed) JONA. RUSSELL.

To the honorable *James Monroe, &c.*

MR. RUSSELL TO LORD CASTLEREAGH.

London, 19th Sept. 1812.

MY LORD—I had the honor to receive, last evening, your Lordship's note of yesterday; and have learnt with great regret and disappointment, that his royal highness the Prince Regent has again rejected the just and moderate propositions for a suspension of hostilities, which I have been instructed to present on the part of my government.

After the verbal explanations which I had the honor to afford your Lordship on the 16th inst. both as to the object and sufficiency of my instructions, I did not expect to hear repeated any objections on these points. For itself, the American government has nothing to disguise; and by varying the proposition as to the manner of coming to a preliminary understanding, it merely intended to leave to the British government that which might be most congenial to its feelings.—The propositions presented by me, however, on the 24th of August and 12th inst. are distinguishable by a diversity in the substance as well as in the mode of the object which they embraced; as by the former, the discontinuance of the practice of impressment was to be immediate, and to precede the prohibitory law of the U. States relative to the employment of British seamen; when by the latter both these measures are deferred to take effect simultaneously hereafter.

Having made a precise tender of such law, and exhibited the instructions which warranted it to your Lordship, I have learnt with surprize that it does not appear to your Lordship that I am authorized to propose any specific plan on the subject of impressment. I still hope that the overtures made by me may again be taken into consideration by his Britannic majesty's government; and as I leave town this afternoon for the U. States, that it will authorize some agent to proceed thither and adopt them as a basis for reconciliation between the two countries, an event so devoutly to be wished.

I have the honor to be, my Lord, your most ob't humble serv't.

(Signed) JONA. RUSSELL.

The Right Honorable Lord Castlereagh, &c.

Mr. Russell to Mr. Monroe.

[Private.]

On board the Lark,

7th November, 1812.

SIR—I have the honor to inform you that I am now passing the Narrows, and expect to land in New York this day. I conceive it to be my duty to repair to the seat of government, and shall set off as soon as I can obtain my baggage. In the mean time I am sorry to inform you, that the second proposition for an armistice was rejected like the first, and a vigorous prosecution of the war appears to be the only honourable alternative left us.

I have the honor to be,

With great consideration & respect,

Sir, Your very obedient servant,

JONA. RUSSELL.

The hon. James Monroe, &c. &c. &c.

DOCUMENTS

Accompanying the President's Message of the 13th of November.

MR. RUSSELL TO THE SECRETARY OF STATE.

Washington, Nov. 16, 1812.

SIR,

I have the honor to hand you herewith an account of the conversation alluded to in a postscript to my letter of the 19th Sept. and which I had not then sufficient time to copy.

I have the honor to be,

With great consideration & respect,

Sir,

Your obedient servant,

JONA. RUSSELL.

The Honorable

James Monroe, Esq. &c. &c.

MR. RUSSELL TO THE SECRETARY OF STATE.

London, Sept. 17, 1812.

SIR,

On the 12th inst. I had the honour to receive your letter of the 27th of July last—I called immediately at the Foreign Office to prepare Lord Castlereagh, by imparting to him the nature and extent of my instructions, for the communication which it became me to make to him. His Lordship was in the country and I was obliged to write to him without previously seeing him. I however accompanied my official note (A*) with a private letter (B) offering explanation, if required, & soliciting despatch.

I waited until two o'clock, the 16th inst. without hearing from his Lordship, when I was much surprized at receiving a note (C) from Mr. Hamilton, the under secretary, indefinitely postponing an official reply.

To give more precision to the transaction I instantly addressed to him answer (D) and a little before five o'clock on the same day, I received an invitation (E) from Lord Castlereagh to meet him at his house that evening at nine o'clock.

I waited on his Lordship, at the time appointed, in company with Mr. Hamilton, at a table loaded with the records of American correspondence, which they appeared to have been examining.

I was courteously received, and after a conversation of a few minutes on indifferent subjects led the way to the business on which I came, by observing that I had once more been authorised to present the olive branch and hoped it would not be again rejected.

His Lordship observed that he had desired the interview to ascertain, before he submitted my communication of the 16th inst. to the Prince Regent, the form & nature of the powers under which I acted. To satisfy him at once on both these points I put into his hands your letter of the 27th of July. I the more willingly adopted this mode of procedure as, besides the confidence which its frankness was calculated to produce, the letter itself would best define my authority and prove the moderation and conciliatory temper of my government.

His Lordship read it attentively.——He then commented at some length both on the shape and substance of my powers. With regard to the former he observed that all my authority was contained in a letter from the Secretary of State, which, as my diplomatic functions had ceased, appeared but a scanty foundation on which to place the important arrangement I had been instructed to propose. With regard to the extent of my powers, he could not perceive that they essentially differed from those under which I had brought forward the propositions contained in my note of the 24th of August. He considers that to enter with me into the understanding, required as a preliminary to a convention for an armistice, he would be compelled to act on unequal ground as from his situation he must necessarily pledge his government, when, from the nature of my authority, I could give no similar pledge for mine.—He could not therefore think of submitting the British faith and leaving the American government free to disregard its engagements. Besides it did not appear to him that at the date of my last instructions the revocation of the orders in council on the 23d of June, had been received at Washington, and that great hopes were entertained of the favorable effect such intelligence would produce there. The question of impressment, he went on to observe, was attended with difficulties of which neither I or my government appeared to be aware. "Indeed" he continued "there has evidently been much misapprehension on this subject, and an erroneous belief entertained that an arrangement, in regard to it, has been nearer an accomplishment than the facts will warrant.—Even our friends in Congress, I mean" (observing perhaps some alteration in my countenance) "those who were opposed to going to war with us, have been so confident in this mistake that they have ascribed the failure of such an arrangement solely to the misconduct of the American government.—This error probably originated with Mr. King, for being much esteemed here, and always well received by the persons then in power, he seems to have misconstrued their readiness to listen to his representations and their warm professions of a disposition to remove the complaints of America, in relation to impressment, into a supposed conviction on their part of the propriety of adopting the plan which he had proposed.—But Lord St. Vincent, whom he might have tho't he had brought over to his opinions, appears never for a moment to have ceased to regard all arrangement on the subject to be attended with formidable, if not surmountable obstacles. This is obvious from a letter which his Lordship addressed to Sir William Scott at that time." Here Lord Castlereagh read a letter, contained in the records before him, in which Lord St. Vincent states to Sir William Scott the zeal with which Mr. King had assailed him on the subject of impressment, confesses his own perplexity and total incompetency to discover any practical project for the safe discontinuance of that practice and asks for council and advice. "Thus you see," proceeded Lord Castlereagh, "that the confidence of Mr. King on this point was entirely unfounded."

"The extreme difficulty, if not total impracticability of any satisfactory arrangement for the discontinuance of impressment is most clearly manifested by the result of the negociation carried on between Messrs. Munroe and Pinkney and Lords Auckland and Holland. The doctrines of which these noblemen had been the advocates, when in opposition, bound them by all the force of consistency to do every thing under their commission for the satisfaction of America relative to impressment, which the subject would possibly admit. There were many circumstances on that occasion peculiarly propitious to an amicable arrangement on this point, had such an arrangement been at all attainable. Both parties accordingly appear to have exhausted their ingenuity in attempting to devise expedients satisfactorily to perform the office of impressment, and nothing can more conclusively demonstrate the inherent difficulty of the matter, and the utter impossibility of finding the expedient which they so't, than that all their labors, pursued on that occasion with unexampled diligence, cordiality and good faith, should have been in vain."

His lordship now turned to a letter in a volume before him addressed at the close of the negociation by these commissioners to the American ministers, conceived in the kindest spirit of conciliation, in which they profess the most earnest desire to remove all cause of complaint on the part of America concerning impressment, regret that their endeavors had hitherto been ineffectual, lament the necessity of continuing the practice & promise to provide as far as possible against the abuse of it.

"If," resumed his Lordship, "such was result of a negociation entertain under circumstances so highly favorable, where the powers & the disposition of the parties were limited only by the difficulties of the subject, what reasonable expectation can be encouraged that in the actual state of things, with your circumscribed and imperfect authority, we can come to a more successful issue? I shall have to proceed in so weighty a concern with the utmost deliberation & circumspection; and it will be necessasry for me to consult the great law officers of the crown. You are not aware of the great sensibility and jealousy of the people of England on this subject, and no administration could expect to remain in power that should consent to renounce the right of impressment, or to suspend the practice, without the certainty of an arrangement which should obviously be calculated most unequivocally to secure its object. Whether such an arrangement can be devised is extremely doubtful, but it is very certain that you have no sufficient powers for its accomplishment."

Such was the substance, and in many parts, the language of his Lordship's discourse. To which I replied that the main object of my powers being to effect a suspension of hostilities, their form could not be material. It was sufficient that they emanated from competent authority and were distinctly and clearly conferred. That in requiring as a condition to an armistice a clear understanding relative to impressment and other points of controversy between the two countries, it was intended merely to lay the basis of an amicable adjustment & thereby to diminish the probability of a renewal of hostilities. To come to such an understanding, to be in itself informal, and which expressly left the details of the points which it embraced, to be discussed and adjusted by commissioners to be hereafter appointed, was certainly within the instructions which I had received, and I could, of course, thus far pledge my government for its observance. I did not acknowledge the force of his objection, predicated on the inequality of our respective powers, nor perceive how the British faith would be particularly committed. The faith of both governments would be equally committed, for whatever was done under their respective authority; and although his Lordship might have power to go beyond the armistice and understanding for which I was instructed, yet there was no necessity for doing so, and while we acted within those limits we stood on equal ground. And were it otherwise, yet, as the promise of the one party would be the sole consideration for the promise of the other, should either fail in the performance of its engagements, the other would necessarily be discharged and the imputation of bad faith could alone attach to the first delinquent. Nor was I dismayed at the very formidable difficulties with which he had thought proper to array the subject of impressment, & altho' willing to acknowledge my inferiority to the American negociators who had preceded me in the matter, yet I was not disposed on account of their failure to shrink from the discharge of a duty imposed on me by my government. To me indeed the whole question appeared much less alarming than his Lordship had described it to be. And that if Mr. King had already been mistaken with regard to the near completion of an adjustment, his Lordship must, on an attention to the *whole correspondence* at the time, acquit him from the imputation of any excessive want of penetration.

As to the supposed ignorance in America of the revocation of the orders in council, at the time my instructions were dated, I observed, that if this ignorance did in fact exist, yet, from certain expressions in those instructions an expectation of such a measure seems to have been confidently entertained, and the orders in council appeared no longer to form an obstacle to a conciliation.—However this might be, it ought not to be supposed that the American government would be ready to abandon one main point for which it contended merely because it had obtained another, which was generally considered to be of minor importance, and to submit to the continuance of impressment on account of the discontinuance of the Orders in Council. At any rate, having authorized me to propose terms of accommodation here, it would probably wait for information concerning the manner in which they had been received, before it would consent to more unfavorable conditions. In the mean time, the war would be prosecuted, and might produce new obstacles to a pacific arrangement. I was happy to learn that the failure of a former negociation concerning impressment could not be ascribed to a want of sincerity & moderation in the American government; and I hoped the mode now suggested for securing to G. Britain her own seamen might remove the difficulties which had hitherto embarrassed this question. If the people of England were so jealous and sensitive with regard to the exercise of this harsh practice, what ought to be the feelings of the people of America who were the victims of it? In the U. States this practice of impressment was considered as bearing a strong resemblance to the slave trade, aggravated indeed in some of its features, as the Negro was purchased already bereft of his liberty, and his slavery and exile were at least mitigated by his exemption from danger, by the interested forbearance of his task master, & the consciousness that if he could no longer associate with those who were dear to him, he was not compelled to do them injury—while the American citizen is torn, without price, at once from all the blessings of freedom and all the charities of social life, subjected to military law, exposed to incessant perils, and forced at times to hazard his life in despoiling or destroying his kindred and countrymen. It was matter of astonishment that while Great Britain discovered such zeal for the abolition of the traffic in the barbarous and unbelieving natives of Africa, as to endeavor to force it on her reluctant allies, that she should so obstinately adhere to the practice of impressing American citizens, whose civilization, religion, and blood, so obviously demanded a more favourable distinction.

I next pointed out to his Lordship the difference between the propositions which I now submitted, and those contained in my note of the 24th of August. That altho' the object of both was essentially the same, there was great diversity in the manner of obtaining it. The discontinuance of the practice of impressment, which was before required to be immediate and to constitute a formal preliminary to an armistice, was now deferred to commence cotemporaneously with the operation of the law of the U. States, prohibiting the employment of British seamen, and was consigned, with the other conditions, to a separate and informal arrangement. In this way it was no doubt intended, by respecting the feelings of the British government, to obviate any objection which might have been the mere suggestion of its pride.

I finally offered, in order to answer at once all the observations and enquiries of Lord Castlereagh, that the proposed understanding should be expressed in the most *general terms*—that the laws, to take effect on the discontinuance of *the practice* of impressment, should prohibit the employment of *native* subjects or citizens of the one state, excepting such only as had already been naturalized, on board the private and public ships of the other—thus removing any objection that might have been raised with regard to the future effect of naturalization or the formal renunciation of any pretended right. With regard to blockades, I proposed to follow the same course, and only to agree that none should be instituted by either party which were not conformably to the acknowledged laws of nations—leaving the definition of such blockades, and all other details, to be settled by the commissioners in the definitive treaty.

I was disappointed and grieved to find that these propositions, moderate and liberal as they were, should be treated in a manner which forbid me to expect their acceptance. I was even asked, by Mr. Hamilton if the U. States would *deliver up* the native British seamen who might be naturalized in America? Although shocked at this demand, I mildly replied that such a procedure would be disgraceful to America without being useful to G. Britain—that the habits of seamen were so peculiarly unaccommodating that no one would patiently go through the long probation, required by law, to become the citizen of a country where he could not pursue his professional occupations—and that not to employ him in this way would be virtually to surrender him to Great Britain.

I was disposed to believe, however, that a reciprocal arrangement might be made for giving up deserters from public vessels.

Here, perhaps, I owe an apology to my government, for having, without its precise commands hazarded the overture above mentioned, relative to British subjects who may hereafter become citizens of the United States. In taking this step, however, I persuaded myself that I did not trespass against the spirit of the instructions which I had received; and had the proposition been accepted, I should not have been without all hope that it would have been approved by the President, as its prospective operation would have presented injustice, and its reciprocity disgrace. Should I, however, urged by too great zeal to produce an accommodation, have mistaken herein the intentions of the President, I still should have derived some consolation from reflecting that this proposition, thus frankly and explicitly made, afforded an opportunity of satisfactorily testing the disposition of this government & might be useful in removing much misconception and error. The refusal of this proposition sufficiently explains the view with which I was assailed with the ostentatious parade of the abortive negocistions relative to impressment; the exaggeration of its pretended difficulties; the artificial solemnity given to its character; the affected sensibility to the popular sentiment, concerning it; and the fastidious exceptions taken to my powers, & proves most unequivocally the predetermination of the British government to reject, at this time, every overture for the discontinuance of this degrading practice.

Most unfeignedly desiring to suspend the existing hostilities between the two states with a reasonable prospect of finally terminating them in a manner honorable to both, I perhaps pressed with too much earnestness the adoption of the arrangement which I was instructed to propose; for Lord Castlereagh once observed, somewhat loftily, that if the American government was so anxious *to get rid of the war*, it would have an opportunity of doing so on learning the revocation of the Orders in Council. I felt constrained on this occasion to assure his Lordship that the anxiety of the American government *to get rid of the war* was only a proof of the sincerity with which it has constantly sought to avoid it, but that no event had occurred, it was apprehended, to encrease this anxiety. His Lordship, correcting his manner, rejoined, that it was not his intention to say any thing offensive, but merely to suggest that if the American government sincerely wished for a restoration of the friendly relations between the two countries, it would consider the revocation of the Orders in Council as affording a fair occasion for the attainment of that object. After a pause of a few moments he added, that if the U. States did not avail themselves of this occasion, not only to put an end to the war, which they had declared, but to perform the conditions on which those orders were revoked, that the orders would, of course, revive. I could not forbear to remind his Lordship, that when I took this view of the subject, in my note of the 24th of August, he had found it to be *incorrect*; but I hoped that, now I was so fortunate as to agree with him on this point, some provision would be made, in case the terms proposed for an armistice should be accepted, to prevent the revival of those edicts. His Lordship attempted to explain, but I could not distinctly seize his meaning.

The conversation ended with an assurance on the part of his Lordship that he would, with as little delay as possible, communicate officially to me the decision of the Prince Regent, and I took my leave, forbidden to hope that while the present councils and the present opinion of the American people prevail here, this decision will be favourable.

I have the honor to be,

With great consideration and respect,

Sir,

Your faithful obedient servant,

JONA. RUSSELL.

* The notes here referred to have already been communicated to Congress.