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THE INSTRUCTIONS.

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

I now transmit to Congress copies of the instructions by the Plenipotentiaries of the United States, charged with negotiating a Peace with Great Britain, as referred to in my message of the 10th instant.

JAMES MADISON.

Washington, Oct. 15th, 1814.

Mr. Monroe, Secretary of State, to the Plenipotentiaries of the United States, for treating of Peace with G. Britain, dated

DEPARTMENT OF STATE, April 15th, 1813.

GENTLEMEN,

I had the honor on the ult. to receive from Mr. Adams two letters, one bearing date on the 20th Sept. and the other on the 17th October last, communicating the overture of the Emperor of Russia to promote Peace by his friendly mediation between the U. States and G. Britain.

The President has not hesitated to accept the mediation of Russia, and he indulges a strong hope that it will produce the desired effect. It is not known that G. Britain has acceded to the proposition, but it is presumed that she will not decline it.

The impressment of our seamen and illegal blockades, as exemplified more particularly in the orders in council, were the principal cause of the war. Had not G. Britain persevered obstinately in the violation of these important rights, the war would not have been declared.

This has been further evinced by a report of the committee of Foreign Relations of the House of Representatives, and an act of Congress passed in consequence of that report.

If the first alternative is adopted, the extent of the proposed conclusion will depend on the impediments naturalization, on the efficacies of the regulations to prevent imposition, and the fidelity of their execution.

ship, the easier will it be to avoid imposition, and the more complete the desired exclusion. The law of the last session of Congress relative to seamen proves how sincerely desirous the Legislative as well as Executive branch of our government, is to adjust this controversy on conditions which may be satisfactory to G. Britain.

By requiring five years continued residence in the U. States, as the condition of citizenship, few if any British seamen would ever take advantage of it. Such as had left G. Britain, and had resided five years in this country, would be likely to abandon the sea forever.

If the second alternative is adopted; that is, if all native British subjects are to be hereafter excluded from our service, it is important that the stipulations providing for it should operate so as not to affect those who have been already naturalized.

To a stipulation which shall operate prospectively only, the same objection does not apply. In naturalizing foreigners, the U. States may prescribe the limit to which their privileges shall extend.

By requiring that the stipulation to exclude British seamen from our service, with the regulations for carrying it into effect, be made reciprocal; the President desires that you make a provision, authorizing the United States, if they should be so disposed, to dispense with the obligations imposed by it on American citizens.

The president is not particularly solicitous that either of these alternatives, (making a proposed reservation in case the latter be) should be preferred.

It has been suggested as an expedient mode, for the adjustment of this controversy, that British cruisers should have a right to search our vessels for British seamen, but that the commanders thereof should be subject to penalties, in case they made mistakes, and took from these American citizens.

If the first alternative should be adopted, it will follow, that none of the British seamen who may be in the U. States at the time the treaty takes effect, and who shall not have become citizens, will be admitted into our service, until they acquire that right.

If the second is adopted, the number of native British seamen, who have been naturalized, and will be admissible into our service, will not, it is believed, exceed a few hundred—all others who may be in the U. States at the time the treaty takes effect, or who may arrive afterwards will be excluded.

As a necessary incident to an adjustment on the principle of either alternative, it is expected, that all American seamen who have been impressed, will be discharged, and that those who have been naturalized under the British laws, by compulsive service will be permitted to withdraw.

I have to repeat, that the great object which you have to secure, in regard to impressment, is, that our flag shall protect the crew; and, providing for this in a satisfactory manner, that you are authorized to secure Great Britain effectually against the employment of her seamen in the service of the U. States.

from the conciliatory spirit of the negotiation.

A strong desire has heretofore been expressed by the British government, to obtain of the United States an arrangement to prevent the desertion of British seamen, when in our ports, and it cannot be doubted, that a stipulation to that effect would be highly satisfactory, as well as useful to Great Britain.

Of the right of the United States to be exempted from the degrading practice of impressment, so much has been already said, and with such ability, that it would be useless, especially to you, who are otherwise so well acquainted with it, to dilate on its merits.

This practice is not founded on any belligerent right. The greatest extent to which the belligerent claim has been carried, over the vessels of neutral nations, is, to board and take from them persons in the land and naval service of an enemy, contraband of war, & every property.

This claim is in fact traced to another source, the allegiance due by British subjects to their sovereign, and his right, by virtue thereof, to their service.

Offenders, even conspirators, cannot be pursued by one power into the territory of another, nor are they delivered up by the latter, except in compliance with treaties, or by favor.

The British government, aware of the truth of this doctrine, has endeavored to avoid its consequences in the late declaration of the Prince Regent. It has not contended that British cruisers have a right to pursue and search our vessels for British seamen.

The remark contained in the declaration of the Prince Regent, that in impressing British seamen from American vessels, Great Britain exercised no right which she was not willing to acknowledge as appertaining equally to the government of the U. States, with respect to American seamen in British merchant ships, proves only, that the British government is conscious of the injustice of the claim, and desirous of giving to it such aid as may be derived from a plausible argument.