

peace it was not necessary to disguise that they had been always attended with great difficulties. Still they were willing, in a spirit of amity, and with candour, to receive and to discuss any propositions we might offer.

With regard to blockades, they could not think it necessary to enter into any treaty definition of them, as the questions which might hereafter arise on that subject (according to our own statement) would relate rather to the fact, than to the principle, on which the two governments seemed to agree. Indeed they thought that such a definition might tend to weaken, as implying a doubt of the correctness of the principle.

In relation to the trade with enemies' colonies, besides the intrinsic difficulty of the question, as heretofore experienced in all attempts to arrange it, there was another, arising out of their want of information, as to whether France had adopted any, and what system of colonial policy, since the restoration of her colonies. It might be, that she had opened their trade to foreign nations in peace as in war, in which case the questions that had heretofore existed could not be agitated again.

Impressment had, they continued, of all the class of subjects, been found most difficult to arrange. They were aware how important it was considered in both countries and how, in both, it touched public sensibility. As heretofore, they were now ready to receive and consider any proposition our government might make respecting it. And even without any treaty stipulation, their government was now anxiously engaged in devising means to prevent the abuses of which we complain. If the law which we had mentioned, at the last interview, should be effectual in its object, it would doubtless do away a great motive with them for impressment. Still they were bound to consider, with the most vigilant attention, any proposition for the abandonment of what they must consider a right essential to their safety. That law did not, however, as they understood, settle the question, who were to be considered as British subjects, a question on which the two countries might not be able to come to an understanding.

With regard to our ideas respecting privateers and prizes, they were certainly fair and unexceptionable.

As they had hinted at some accommodation in the fur trade, or in other parts of the commercial arrangement, for their supposed concession respecting the India trade, we thought the occasion suitable for stating, that we were positively instructed not to consent to the renewal of the trade between British subjects and the Indians residing within our territories. We stated, that the disposition of our government on this subject did not proceed from commercial, but political considerations. They did not insist upon it, nor seem to think, that the determination of our government would prevent an arrangement of the Canada trade. One of them enquired, whether we expected, in like manner, to be excluded from the trade with the Indians in their territories? To which we replied, certainly.

We explained the law for the exclusion of foreign seamen from our service, & mentioned that the naturalization of seamen would be almost altogether prevented in future by the necessity of a continued residence of 5 years. We stated, that we were authorised to enter into stipulations forbidding the employment of such British seamen as might, under our laws, be hereafter naturalized, but that we could not do it with respect to those who were already naturalized. We had thought, that as to them, an exception might be made, permitting, on both sides, the voluntary employment of such seamen, natives of one country, as might have heretofore been naturalized under the laws of the other country. We added, that the number of British seamen, already naturalized, which could constitute, as it appeared to us, the only difficulty of an arrangement, was very inconsiderable. Doctor Adams concurred in opinion that they were not many.

We made some further explanations & finally told them that considering the disposition which we had been happy to meet with in them, we would now say, that we would enter upon the negotiation, reserving to ourselves, however, the right, as our powers were several, as well as joint, to withdraw from it, if circumstances should make it eligible to do so, and to leave to Mr Adams whom we daily expected, to conclude it.

The interview closed, by their undertaking to provide themselves immediately with the necessary powers to proceed in the negotiation; and by assurance, that they would continue to do all in their power to bring it to a speedy and successful issue.

*The American Plenipotentiaries to the Secretary of State.*

LONDON, JULY 3, 1815.

SIR—We have the honor to transmit a convention for regulating the commercial intercourse between the U. States and Great Britain, which we concluded this day with the British plenipotentiaries.

Messieurs Clay and Gallatin's des-

patch of the 18th May last, has informed you of the preliminary steps taken by them on that subject. Mr. Adams arrived in London on the 25th of May, and on the fifth of June we were invited by Messieurs Robinson, Goulburn, & Adams, to meet them on the 7th. At this conference after a mutual exhibition of our powers, and some general observations, we delivered to them our projet of a commercial convention, a copy of which, (marked 1), is herewith enclosed. They promised to take it into immediate consideration; and on the 9th, informed us that they would prepare and transmit to us a *contre projet*.

Believing that there was no prospect of an immediate arrangement on the subject of seamen, and knowing that without it no treaty, defining the rights and duties of belligerent and neutrals was admissible, we excluded all that related to that branch of the subject from our projet, and confined it to objects purely commercial.

We took the 3d article of the treaty of 1794, respecting the intercourse with Canada, as the basis of the corresponding article, omitting according to our instructions, whatever related to the Indian trade. In drawing the other articles, we were principally guided by the unratified treaty of 1806, by the instructions given in relation to it by the secretary of state, in his despatch of May 20, 1807, and by the act of congress, of 3d March last, for abolishing all discriminating duties. From the previous explicit declarations of the British plenipotentiaries, we deemed it useless to offer any article on the subject of the intercourse with the W. India islands, and only inserted a clause to prevent the application to that intercourse of the provisions contemplated by the convention.

On the 16th the British plenipotentiaries addressed to us a note, enclosing their *contre projet*, (marked 2); and on the 17th we transmitted our answer (marked 3). The whole subject was discussed at large in conferences held on the 19th and 21st. The British plenipotentiaries, in a note of the 20th, (marked 4), stated the substance of their answer to ours of the 17th. In the conference of the 21st, we delivered the additional clause to the 3d article of the *contre projet*, (marked 5), and afterwards on the same day, we transmitted our note (marked 6).

It will be perceived by these notes that we had come to an understanding as to the intercourse between the United States and the British territories in Europe, and that we disagreed on three points; the intercourse with Canada; placing, generally, both countries on the footing of the most favored nations; and the intercourse with the British East Indies.

On the first point the British Plenipotentiaries persisted in refusing to admit that the citizens of the United States should have the right to take their produce down the river St. Lawrence to Montreal, and down the river Chambly (or Sorel) to the St. Lawrence. And without that permission the article was useless to us, and unequal in its practical operation. The provision that the importation of our produce into Canada should not be prohibited, unless the prohibition extended generally to all similar articles, afforded us no security; as no similar articles are imported into Canada from any other foreign country; whilst the the corresponding provision, respecting the importation into the United States, through Canada, of the produce and manufactures of Great Britain, effectually prevented us from prohibiting such an importation into the United States. through Canada, of the produce and manufactures of Great Britain, effectually prevented us from prohibiting such an importation; since this could not be done without extending the prohibition to the importation of all similar articles, either of British or other foreign growth or manufacture, in the Atlantic ports of the United States.

The article for placing respectively the two countries on the footing of the most favored nation, limited as was insisted on by the British plenipotentiaries, to the intercourse between the U. States and the European territories of Great Britain, was unnecessary; since all that appeared desirable on that subject was secured by the second article; and a provision of that nature, unless offering some obvious advantage, was deemed embarrassing, on account of the difficulties attached to its execution.

With this view of the two subjects, and finding that to arrange them in a satisfactory manner was impracticable, we proposed in our note of the 21st to omit altogether the articles relating to them.

On the subject of the intercourse with India, the British Plenipotentiaries, contrary to the impression made in the unofficial conversation on Messrs Clay and Gallatin, had insisted on our official conferences, that our admission to that trade was, on the part of Great Britain, a concession altogether gratuitous; and for which, particularly as to the privilege of indirect outward voyages, she ultimately expected an equivalent. Whilst we strenuously contended that an equivalent was found in the trade itself, which was highly beneficial to India, or, at all events,

considering the nature of the commercial intercourse generally between the two countries, in the other provisions of the convention. On the same ground we urged our claim to be placed in India on the same footing, at least, as the most favored nations. To which was replied that they made a distinction between nations which had possessions there and those which had none. The refusal not being altogether explicit, we renewed our proposal to that effect in our note.

The British Plenipotentiaries, in a note of the 23d, (marked 7), acceded to our proposal to omit the 3d and 5th articles, and refusing that on the subject of India, offered to omit the article altogether and to sign a convention embracing only the provisions respecting the intercourse between the United States and the British territories in Europe.

This proposal we rejected in our note of the 24th, (marked 8). But in order to meet if practicable, the views of the British government, and to avoid making any distinction between the E. India trade and the other branches of commercial intercourse, we proposed to limit the duration of the whole convention to four years; and we offered as an alternative, an arrangement for the sole purpose of abolishing the discriminating duties, in conformity with the act of Congress of the last session.

In a note of the 26th, (marked 9), the British Plenipotentiaries informed us that they found it necessary to refer our last proposals to their government, and by their note of the 29th, (marked 10), they accepted our offer of a convention embracing the East-India article, and limited to four years, to be calculated from the date of its signature. We replied to this in a note dated 30th June, and (marked 11), and on the same day arranged, in a conference, the details of the convention.

We beg leave to add that the same restriction which confines our vessels to the principal ports of India is, except in special cases, imposed, by the act of Parliament, on British subjects; and that, besides the discrimination in the export duty from England, the difference on the import duty on the article of cotton, had, by a late act of parliament, been increased to two pence sterling per pound in favor of every species imported in British vessels, & even of Brazil cotton, imported in Portuguese vessels.

We have the honor to be respectfully, sir, your obedient servants,

JOHN Q. ADAMS,  
H. CLAY,  
A. GALLATIN.

The Hon. James Monroe,  
Secretary of State, Washington.

## CONGRESS.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, JAN. 4.

DARTMOOR TRAGEDY.

Mr. Pleasants, in offering the following motion, remarked, that he had no wish to produce any sensation in the house, nor to agitate, at present, any question relating to the unfortunate affair of Dartmoor prison, but he was desirous to be placed in possession of any official documents in relation to it which may be in the hands of the executive department; with that view he moved, 'That the President of the U. States be requested to cause to be laid before this house, if in his opinion it will not be inconsistent with the public welfare, any communications which may have passed between this government & the government of Great Britain, in relation to the transactions at Dartmoor prison, in the month of April last, so far as the prisoners of war there confined were affected by them.'

On the suggestion of Mr. Jackson, of Va. that there might be documents in the possession of the government, relating to this subject, not connected with the correspondence with the British government, the resolution was modified so as to embrace such documents; and, thus modified, the motion was agreed to, and a committee ordered to be appointed to lay the same before the President.

Mr. Hardin laid before the House the Memorial of the Legislature of Kentucky, relative to compensation for horses lost by the citizens of that state during the late war, while in the service of the U. States; which was ordered to be printed for the use of the Members.

Mr. Robertson from the committee on Public Lands, reported a bill for the relief of certain purchasers of public lands in the Mississippi territory, accompanied by a detailed report; which was twice read and committed.

Mr. Lowndes, from the committee of Ways and Means, to whom was referred so much of the President's Message as relates to the Revenue, and the annual Report of the Secretary of the Treasury, except that part which relates to the establishment of a Bank, made a report of some length, concluding with a series of propositions, on the subject of the Ways and Means for the ensuing and following years. We were not able to obtain a copy of the Report (which shall be published at an early day) but we believe the propositions nearly resemble those submitted to Congress by the Secretary of the Treasury in his annual Report. The

report was referred to a committee of the whole.

WEDNESDAY, JAN. 10.

Mr. Pleasants, from the naval committee, reported a resolution directing the presentation to Captain Stewart, and the other officers of the Constitution, suitable medals, in testimony of the sense of Congress of the merits of their exploit, in the capture of the British sloop of war Cyane and Levant; which was read and referred to a committee of the whole.

*Translated for the National Intelligencer.*

From the Commercial Diary of Havana, of December 12, 1815.

*Total Defeat of the Army of the Mexican Insurgents, headed by their first ringleader, Morello.*

This monster is at last in the hands of the Royal troops. His career of blood and devastation is at an end.—His crime will soon be expiated on the scaffold, an awful lesson to his followers, whom the same fate attends if they continue tearing the heart of their country, misled by the ambition of a gang of seditioners who have the impudence to call themselves Patriots.—The following letter announces the event:

SIR—I just received the flattering account by Colonel Don Manuel de la Choncha, that Morello's army has been lately defeated near this place: himself and another of the first ringleaders, called Morales, taken, together with all his artillery, arms, ammunition, and a rich booty. The number of killed and prisoners is very considerable; among the first are reckoned the ringleaders Sesma, Lohats, and many others.

This glorious and important victory obtained by the measures I had previously concerted, and by the bravery of the troops I have the honor to command, their steadiness during the action, and the fortitude with which they have braved every danger and fatigue, will not fail, I hope, to be rewarded by his Majesty with the generosity that deserves their zeal and patriotism. I recommend very particularly to your Excellency the distinguished merit of Lieut. Don Matias Carasen, who had the glory to pursue, overtake, and bring safe to his commander, the monster Morello.

God preserve your Excellency's life for many years.

Atango del Rio, November 6, 1815.  
Signed by Eugenio de Villasana, & addressed to his Excellency the Vice Roy of New Spain, Don Felix Maria de Calleja,

AFFAIRS IN CHINA.

It will be remembered, that we some time since stated, that a serious controversy had arisen between the Vice Roy of Canton, and the English committee of Super cargoes. The cause of the dispute originated in the capture of an American schooner by his Britannic Majesty's ship Dorn, in the harbour of Whampoa. The Vice Roy complained of this act, as a breach of neutrality; one irritating circumstance led on to another until Sir George Staunton, the representative of the company, attended by all the British subjects resident at Canton, had come to a determination to leave the place. This decided step it was thought had reconciled all animosity, and reinstated harmony of commercial intercourse. But this expectation has proved unfounded. Subsequent intelligence has reached us, by which it appears that an edict has been issued, which dismisses the Kong Merchants from their employment, and appoints three or four successors in their stead. The edict goes on to express his Imperial Majesty's high displeasure at Sir Geo. Staunton, and is very severe on the English declaring that they are allowed a residence in that quarter of the world, only by the clemency of his Imperial Majesty, and charges them with ingratitude.

It further recommends to the Super-cargoes, if displeased with the conduct of his Imperial Majesty, to withdraw from his Government.

Thus has the Emperor of China, at the last, made himself in some sort a party in our late controversy with England.—*Balt. Tel.*

NEW-ORLEANS, NOV. 15.

In the schooner President, from Bouquilla de Pudras, arrived Don Jose Manuel Herrera, with his suite. This gentleman, we are informed, is appointed Minister Plenipotentiary from the Mexican Republic to the U. States; he was a distinguished member of the revolutionary government, and on the organization of the constitution, was elected deputy for the province of Teepan; his appearance and conduct since his arrival, have impressed all who have the pleasure of his acquaintance with a high sense of his merit.

We do not pretend to be acquainted with the overtures he is commissioned to make—still less to predict how they will be received by our government—but should they be as we suppose, offers of friendship and commerce with that great and rising republic, we cannot but sincerely hope that they may be accepted. Whether we look to the immense influx of wealth that will be produced by their commerce, or to the political stability which our institutions

would receive by their support, the subject is equally important—let free republics look out in time for allies against legitimate sovereigns!

We understand the news brought by the arrival of the most favorable to the cause of Mexican freedom—the republicans are in possession of all the open country, and though some of the great towns are still held by the royalists, they have no communication with each other but by strong convoys, or more frequently by paying a heavy duty to the republicans.

Gen. Toledo, confirmed in his appointment as Gen. in chief of the Mexican forces in the internal provinces, escorted the minister to this place. The part this gentleman took during the late invasion of the English, we are informed, had some influence in procuring him this new mark of the confidence of his country, and is a pledge of the interest which the new republic takes in our welfare.

## Kentucky Legislature.

[REPORTED FOR THE PALLADIUM.]

HOUSE OF REPRESENTATIVES.

THURSDAY, JAN. 4.

The speaker laid before the house a letter from the president of the bank, informing the legislature that the shareholders had elected directors to their part. They have elected the same who were in last year, and have raised the salary of the president to 1600 dollars.

Mr. Payne reported a bill to incorporate an independent bank at Lexington. The same being read, and the question on its passage to a second reading being taken, it passed in the negative.

Mr. Mills offered a resolution that a law ought to pass repealing the circuit courts, and establishing others, having judges with adequate salaries, &c.—Laid on the table for the present.

Mr. Marshall obtained leave to bring in a bill to extend the July term of the Franklin circuit court.—And Mr. Anderson, a bill concerning insolvent debtors.—The Governor returned the Jefferson precinct bill, approved.

SATURDAY, JAN. 6.

The petition of members of the German Baptist society was presented by Mr. Hughes, praying that, as they conscientiously scruple to bear arms, they may be relieved from the oppressive fines which are imposed upon them by the present law. Mr. Hughes moved to refer the petition to the proper committee. Some debate occurred, in which Mr. M' Afee informed the house that the reference was unnecessary, as the court of appeals had decided that it was unconstitutional to fine such conscientious persons. A case had been brought up to that court by the Senators from Mercer, on which the decision had taken place. The petition was then rejected.

The committee on courts of justice reported the petition of Henry Speed as reasonable—and for remedy of cases like his, they recommended that a fourth judge be added to the court of appeals. Mr. South moved to strike out the remedy proposed—and the yeas and nays being taken, his motion carried—50 to 23. The resolution was adopted.

Mr. Blackburn reported a bill for the benefit of the widows and orphans of those persons who fell in the late war. It authorises them to apply to the county courts, to get certificates specifying what persons are entitled to relief; to whom the auditor shall issue warrants for one hundred acres of land each. Mr. Blackburn spoke for the bill on the ground, that additional provision should be made to that which might be expected from the general government. Mr. Rowan opposed it, as belonging exclusively to the general government to make the provision, and is improper to establish a contrary precedent, which might induce citizens in future wars to look to the state for relief. Mr. Blackburn thought it proper, on account of the manner, in which our citizens went into service, being as volunteers. Tennessee had even laid a compulsion tax to raise money for the widows and orphans of their departed soldiers. Mr. Anderson was opposed to the bill on the ground, that he would not give an additional excuse to those members of congress, who were opposed to making provision for these persons, and paying this national debt of gratitude. If the provisions in the bill were passed those members of congress would then say, that it was unnecessary for them to afford the relief, or to pay this debt now justly due from the nation. Because the citizens of Kentucky had been more prodigal of their blood and lives in the war, than those of other parts of the union, he would not on that account incur an exorbitant expenditure also, to pay for such service. If congress should refuse to make provision, he would then endeavor to make compensation, in proportion to the ability of the state to do it. He moved to lay the bill on the table, with a view to wait the decision of congress on the subject. Mr. M' Afee concurred in the same sentiment. He said that altho' the bill proposed on paper to do great things for those persons, yet in fact it amounted to nothing; for the state had little or no vacant land of any value to give them.—Mr. Emmerson and Mr.