

to make that demand, should have issued an edict directing measures of injury very disproportionate to what it knew was an unauthorized offence, and both in its terms and its purport so injurious to the government to which that demand was to be addressed, and tending to call forth in both nations, the feelings under which a friendly adjustment would be the most difficult. But if, as I learn from you, sir, the proclamation rests substantially on other causes, it is then peculiarly to be regretted, that, together with the demand for redress made in September last, the government of the United States did not think fit to offer a negotiation, or an explanation of so momentous a measure, or to declare that its recall must be more or less connected with the adjustment of other alleged wrongs. Neither did it think it necessary to return any answer to the remonstrance given in by his majesty's envoy at Washington, on the 13th July, 1807, in which he represented "that he considered that interdiction to be so unfriendly in its object, and so injurious in its consequences to his majesty's interests, that he could not refrain from expressing the most sincere regret that it ever should have been issued, and most earnestly deprecating its being enforced."

It could not be supposed that a circumstance of so great weight could be overlooked by his majesty's government, in determining the line of conduct to be held in the negotiation: and as little could it be expected to pass it over, when on the failure of the discussion with Mr. Monroe, it directed a special mission to be sent to the United States. It had the less reason to imagine that any other grievances could be connected with that for the adjustment of which I am empowered to negotiate, as Mr. Monroe in his letter to Mr. Canning of the 29th of July last, had stated with respect to other subjects of remonstrance, that it was improper to mingle them with the present more serious cause of complaint; an opinion to which Mr. Canning declared his perfect assent in his letter to that minister of the second of the subsequent month; so that this act was left as single and distinct, to be singly and distinctly considered. His majesty's government, therefore, could not consistently with any view of the subject then before it, or indeed with the just object of my mission, direct or empower me to enter upon matters not connected with that of the Chesapeake, and they could with less propriety do it, as in order to render the adjustment of differences of such a nature, the more easy and the more conspicuous, the ministers charged especially with such offices have been, with few if any exceptions restricted to the precise affair to be negotiated. With respect therefore to those other causes of complaint, upon which you inform me that the president's proclamation rests, I cannot be furnished with documents enabling me either to admit or to controvert those statements of grievance, foreign to the attack upon that ship, contained in your letter, or authorized to discuss the matters themselves. I shall therefore not allow myself to offer such comments as my personal knowledge of some of those transactions suggest to me, although their tendency would materially affect both the marked manner in which those transactions are portrayed, and the disadvantageous lights in which his majesty's government is represented to have acted respecting them. I am moreover led to the persuasion that my government will be the more easily able to rescue itself from inculpation, by the inference arising from passages in Mr. Monroe's letter to Mr. Secretary Canning, of the 29th of September last, that the differences unhappily existing between the two nations were in a train of adjustment.

If his majesty has not permitted me to enter into the discussion of the search of neutral merchant ships for British seamen, together with the adjustment of the amount of reparation for the attack upon the Chesapeake, it was no wise with a view of precluding the further agitation of that question at a suitable time; but it was that the negotiation might be relieved from the embarrassment arising from the connexion of the present matter with the one so foreign to it, and, as it was but too well known, so difficult to be adjusted, of a right distinctly disclaimed, with one which Great-Britain has at all times asserted of enforcing her claim to the services of her natural born subjects, when found on board merchant vessels of other nations; a claim which she founds in that principle of universal law, which gives to the state the right of requiring the aid and assistance of her native citizens. The recurrence, therefore, to that course of negotiation, which had been originally settled between Mr. Secretary Canning and Mr. Monroe, and which had been alone broken in upon by the orders subsequently received by that minister, can only be considered as a resumption of that course of things which Great-Britain strenuously contended there was no ground to depart from. I may observe, that this purpose might have been effected without the intervention of a special minister.

It will be in your recollection, sir, that in our first interview, I stated the condition which makes the subject of the present letter, before I was informed by you, that the president of the United States would consent to the separation of the two subjects.

I had trusted that the exposition, which I added in my letter of the 26th of January to the verbal explanation I had before offered, of the grounds of his majesty's demand, was both in its purport, and in the terms in which it was couched, such as to prevent a suspicion that they were in their intention derogatory to the honour, or calculated to wound the just sensibility of this nation. I may add that such a supposition could not be reconciled with the various ostensible and unequivocal demonstrations of his majesty's good faith and anxiety, that this transaction should

be brought to an amicable termination, which were exhibited even prior to any remonstrances on the part, or by order of this government. The other topics which I felt myself authorized to advance in that letter, in illustration of that amicable disposition on the part of the king, were brought forward from the conviction I entertained that they must be of a nature to be satisfactory to this government, and therefore, such as it was particularly my duty to enforce; but not with a view to rest upon them the right to advance the claim which I have stated.

I may here remark, it is obvious that far from requiring that the first steps towards an arrangement of reparation should be taken by the United States, Great-Britain has already made them openly and distinctly: they are indubitable testimonies to the respect borne and decidedly marked by Great-Britain, to the ties of amity subsisting between the two nations, and of her cordial desire to maintain them unimpaired; and as such alone they were urged.

As his majesty would have derived sincere satisfaction from the evidence of corresponding feelings on the part of the United States, so it would be the more painful to me to dwell upon a series of insults and menaces which, without any provocation of warlike preparation on the part of Great-Britain, have been for months accumulated upon her through the U. States, and but too frequently from quarters whose authority necessarily and powerfully commanded attention.

I ought, perhaps, to apologize for adverting to an incidental expression in your letter, if I did not think it right to remove any ambiguity respecting the nature of the claim which Great-Britain maintained to her seamen, native citizens of the realm, who have deserted from her service to that of other powers: it is, that on demand they shall be discharged forthwith, and consequently they shall instantly be freed from their newly contracted obligations.

Before I close this letter, allow me to state to you, sir, that I have felt it my duty to transmit to his majesty's government, the exposition contained in your letter of the 5th inst. of the various demands on the honour and good faith of Great-Britain, on which the complaint is made, that satisfaction has not been afforded to the United States, and on which conjointly with the attack of the Chesapeake, you inform me that the proclamation of the president of the United States of the 2d of July, 1807, is founded. It will be for his majesty's government to determine, on the part of Great-Britain, whether any and what obligations remain to be fulfilled by her. Whether any denial on such protraction of redress have occurred on her part, as to render necessary or justifiable the perseverance in an edict, which, when not necessary or justifiable, assumes a character of aggression; and whether on the result of these considerations, the present negotiation can be resumed on the part of his majesty, with a due regard for his own honour, or with a prospect of a more successful termination.

I have the honour to be,

With the highest consideration, sir,

Your most obdt. and most humb. servant,

(Signed)

G. H. ROSE.

CONGRESS.

SENATE, April 2, 1808.

The following message was received from the president:

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

BELIEVING that the confidence and union of our fellow-citizens, at the present crisis, will be further confirmed by the publication of the letter of Mr. Champagny to Gen. Armstrong, and that of Mr. Erskine to the Secretary of State, communicated with my message of the 30th ult. and therefore that it may be useful to except them from the confidential character of the other documents accompanying that message, I leave to the consideration of congress the expediency of making them public.

TH: JEFFERSON.

April 2, 1808.

On motion of Mr. Giles the following letters were ordered to be printed:

Washington, February 23, 1808.

SIR,

I have the honour to transmit to you the copies of certain orders of council which his majesty has thought proper to issue in consequence of the hostile conduct of France towards the navigation and commerce of Great-Britain and of neutral states.

His majesty has been induced hitherto to forbear recurring to measures of this nature by the expectation that the governments of the neutral states, who have been the objects of the French decrees, would have been awakened to a just sense of what they owe to their interests and own rights, and would have interposed with effect, either to prevent the execution of the French decrees, or to procure their abrogation.

But his majesty having been disappointed in this just expectation, and perceiving that the neutral nations, so far from opposing any effectual resistance, have submitted to whatever regulations France may have prescribed for giving effect to her decrees, can no longer refrain from having recourse to such measures as by retorting on the enemy the inconveniences and evils produced by his injustice and violence, may afford the only remaining chance of putting an end to a system, the perseverance in which is not more injurious to his majesty's dominions than to nations not parties to the war between Great-Britain and France.

The principle upon which his majesty finds himself compelled to proceed, would justify a complete and unqualified retaliation on his part of the system of his majesty's dominions: and his majesty, in respect to his dominions, have declared in a state of rigorous might, that he will not permit any blockade, all the coasts and colonies of France and her allies. Such a measure, the maritime power of Great-Britain would have enabled his majesty to enforce: nor those nations, which have acquiesced without effectual remonstrance, in the French execution of a corresponding determination on the part of his majesty, to complain of his majesty's forcing that measure, which the enemy has executed imperfectly, only from the want of the means of execution.

His majesty however, actuated by the same sentiments of moderation by which his majesty's conduct has been uniformly governed, has been desirous of alleviating, as much as possible, the inconveniences necessarily brought upon neutral nations by a state of things so unfavourable to the commercial intercourse of the world; and has therefore anxiously considered what modifications it would be practicable to apply to the principle upon which he is compelled to act, which would not, at the same time that they might afford relief from the pressure of that principle upon neutral or friendly nations, impede or enfeeble his operation upon the enemy.

In pursuance of this desire, the order in council which, if it had ended with the sixth paragraph, would have been no more than a strict and just retaliation for the French decree of November 1793 proceeds, as you will observe, sir, to provide for material exceptions, which are calculated to qualify the operation of the order upon neutral nations in general, but which must be considered as most particularly favourable to the particular interests of the United States.

It will not escape you, sir, that, by this order of council, thus modified and regulated, the direct intercourse of the United States with the colonies of the enemy is unrestrained; and an indulgence which when it is considered to be (as it really is) not a violation of the principle of just retaliation, which the order itself is framed, but a deviation in favour of the United States, from that ancient and established principle of maritime law, by which the intercourse with the colonies of an enemy in time of war is limited to the extent which that enemy has accustomed in time of peace to prescribe for it, and which, by reference to the conduct of France in a time of peace, would amount to a complete interdiction, cannot fail to afford to the American government a proof of the amicable disposition of his majesty towards the United States.

You will observe, sir, also, that the transportation of the colonial produce of the enemy from the United States to Europe, instead of being altogether prohibited (which would have been the natural retaliation for the rigorous and universal prohibition of British produce and manufactures by France) is freely permitted to the ports of G. Britain, with the power of subsequently re-exporting it to any part of Europe under certain regulations.

The object of these regulations will be the establishment of such a protecting duty, as shall prevent the enemy from obtaining the produce of his own colonies at a cheaper rate than that of the colonies of Great-Britain. In this duty it is evident that America is no otherwise concerned than as being to make an advance to that amount for which it is in her own power amply to indemnify herself at the expense of the foreign consumer.

Another most important relaxation of the principle upon which his majesty's orders proceed is that which licences the importation of all flour and meal, and all grains, tobacco and other articles, the produce of the soil of America, with the exception of cotton, through the ports of his majesty's dominions, into those of his enemies, without the payment of any duty on the transit. This is, I beg leave to observe, an instance in which his majesty has deprived his measure of its most efficacious and hurtful operation against the enemy, through motives of consideration for the interests of America. The reason why his majesty could not feel himself at liberty, consistent with what was necessary for the execution of his purpose, in any tolerable degree, to allow this relaxation to apply to cotton, is to be found in the great extent to which France has pushed the manufacture of that article, and the consequent embarrassment upon her trade, which a heavy impost upon cotton, as it passes thro' Great-Britain to France, must necessarily produce.

I cannot refrain from calling the attention of the government of the United States to the contrast between the different modes in which his majesty's orders and those of France are carried into execution. By his majesty's, the utmost consideration is manifested for the interests of those nations whose commerce he is reluctantly compelled to impede, and a short time allowed for their becoming acquainted with the new regulations and conforming to them. Whereas France, without any previous notice, and without any interval, applies her orders to trade already entered upon in ignorance of any such orders, and subjects to condemnation ships, whose voyages, when commenced, were in strict conformity to all the regulations at that time promulgated by France.

Even with these and other modifications, his majesty is not unaware that a measure extorted from him by the injustice of the enemy, must inevitably produce inconveniences to the neutral parties who are affected by its operation.