

MARYLAND GAZETTE, AND POLITICAL INTELLIGENCER.

ANNAPOLIS, THURSDAY, NOVEMBER 17, 1814.

No. 42.]

VOL. LXXII.

PRINTED AND PUBLISHED

BY
JONAS GREEN,
CHURCH-STREET, ANNAPOLIS.

Price—Three Dollars per Annum.

RETALIATORY DOCUMENTS

To the House of Representatives
of the United States.

I transmit to the House of Representatives a report from the Department of State, complying with their resolution of the 15th inst.

JAS. MADISON.

Oct. 25th, 1814.

REPORT.

Department of State,
Oct. 27, 1814.

The acting secretary of state, to whom was referred the resolution of the house of representatives of the 15th inst. has the honour of submitting to the president the accompanying papers marked Nos. 1, 2, 3 and 4, as containing the information which is presumed to be called for by the said resolution.

Respectfully submitted,
JAMES MONROE,
The president of the U. States.

No. 1.

Extract of a letter from Reuben G. Beasley, esq. to the commissary general of prisoners, dated London, March 18, 1814.

Having had several conversations on the subject of the retaliation, previous to the receipt of your letters of the 6th and 9th of January, I took the earliest occasion to communicate the information they contained. On the 19th ult. I addressed a letter to the transport board on the subject, a copy of which I have now the honour to inclose. Altho' I have received no reply to this letter, I have the satisfaction to inform you, that I have been assured by the Secretary of the Board, and have found the fact confirmed by my own observation, that the treatment of the individuals sent to this country for trial, has in no respect been different from that of the other prisoners of war.

Mr. Beasley to the secretary of the transport Board.
Hartley-street, Feb. 19, 1814.

SIR,
In consequence of the wish which you verbally expressed to me yesterday, I now present to the board in the form in which it has been communicated to me by the commissary general of prisoners of the U. States, a statement of the various measures of retaliation which have been forced on the American government by the unwarrantable acts of British officers. I the more readily comply with this wish, because it will lead to a proper understanding on the subject, and I am persuaded myself it will be followed by measures on the part of the British government, which will not only relieve the suffering individuals, but put an end to the proceedings, the very idea of which is so painful to every generous and humane feeling. I begin in the order in which they occurred.

[Here follows the statement extracted from Gen. Mason's letter of the 6th Jan. 1814.]*
To the foregoing I have to add, that information has been received by the commissary general that the British commanding officer at Halifax had confined there 64 American officers, with intention to make the number 92, in retaliation for the 45 British officers confined by the American government. As soon as this should be officially communicated to the government, a correspondent and effectual measure would be adopted in the U. S.

In this statement and the documents which accompany it, will be found the disposition and sentiments of the American government. It will be seen that this system was not begun by the United States.—Prompt in the discharge of the duty they owe to their citizens, they have constantly lamented the necessity of the measure imposed on them, and have on every occasion shewn, as you will see exemplified in the first,

second, third and fourth acts above recited, that the moment the necessity of detention ceased to exist, the persons confined have been released.

The British agent in the U. States who has been regularly informed of every circumstance relative to this unpleasant subject, will no doubt have done the American government the justice to say, that the sufferings of the individuals concerned have at all times been as little as the nature of the case would admit.

It has been thought extraordinary that, contrary to the stipulations of the cartel, American prisoners have been sent to this country from Canada. This measure was strongly reprobated against to Col. Barclay some time ago; but so far from having produced the desired effect, it has been continued under circumstances of the greatest hardship and suffering. About 400 of these persons, many of whom had never before been at sea, were hurried on board ship without the least previous notice to provide themselves with necessaries; and in that situation exposed to a boisterous winter passage. The government of the U. S. has sought in vain for a legitimate motive for this conduct, which will necessarily lead to a corresponding measure of severity, if not satisfactorily explained.

I am instructed to make inquiry relative to the situation of all the prisoners who have from time to time been sent to this country; and to give information of the places of confinement and treatment of those who were sent here for trial.

I have to remark that while the British prisoners in the U. S. have been treated in exact conformity to the stipulations contained in the cartel, no change whatever has been made in the treatment of American prisoners in close confinement, nor has any satisfactory reason been given why they have not been placed on the same footing.

The situation of the British officers who are held in the U. States as hostages to answer for the persons for the safety and proper treatment of the American prisoners, will be found in the extract of a letter herewith transmitted dated 13th Dec. 1813, and it will continue the same while it is understood that American officers in the hands of the British government meet with similar treatment.

I am, sir, your most obedient servant,
(Signed) R. G. BEASLEY,
Alexander McLeay, Esq. &c.

* This statement contained the substance of the cases to be found in the report of the Secretary of State of the 14th of April, 1814, printed by order of the Senate, from page 14 to 173.

No. 2.

Extracts of a letter of instructions from the Secretary of State to Col. Lear, appointed to negotiate on the part of the United States, an exchange of prisoners of war with Sir George Prevost, dated Washington, June 27, 1814.

On the subject of hostages if a ny are retained on either side, it cannot be admitted that a number of prisoners shall be left in the hands of the enemy in that state, or in any other, different from the ordinary state of prisoners of war, greater than shall be held by us to answer for their proper treatment, and safety.

You are not unacquainted with the cause which induced the government to designate certain persons prisoners of war, in our possession to abide the fate of such American prisoners of war as the enemy had thought proper to separate from their comrades, and to transport, under severe and ignominious confinement, to England, for trial as traitors. While this treatment continued, and while there was a probability of the threatened trial and punishment, this government could not and would not have relaxed in the measure it had adopted. Information, however, having been recently received from Mr. Beasley, American agent for prisoners at London, dated on the 18th day of March last, by which it is known that he had received assurances, and

that he was satisfied of the fact, that the treatment of the individuals sent to that country, avowedly for trial, has been in no respect different from that of other prisoners of war, the president has been induced to hope, from this circumstance, as well as from the length of time which has elapsed since those persons have been in England, without having been brought to trial, that it is not the intention of the British government to take a step which would inevitably involve consequences shocking to humanity; and sincerely desirous of lessening, as much as possible, the sufferings of individuals on both sides, he has determined, that reserving to the government the full right of replacing the hostages who may have been designated here, and retaining the power to do so, such of the prisoners taken from the command of Sir George Prevost, as have been so designated, may now be exchanged.—You are accordingly authorised to stipulate that the proposed release and exchange shall be without distinction of hostages, taking care that it shall be reciprocal, and that a special reservation be made of the right, which may be common, to replace them, whenever it is deemed proper to do so.

No. 3.

Extracts of such parts of a convention relative to the exchange of prisoners of war, proposed on the 15th April, 1814, and of the instrument, by which it was modified, and finally agreed upon, on the 16th July following, between agents duly authorised by the Secretary of State of the United States, on the one part, and Sir George Prevost, commander in chief of the British forces in the Canadas, on the other, as relates to those who had been on either side confined under the system of retaliation.

Extract of the Convention of the 15th of April.

Article I. It is mutually stipulated and agreed, that all the persons belonging to the army, navy, or militia, of the United Kingdom of Great Britain and Ireland, or the provinces or dependencies thereof, under the command, authority, and jurisdiction of his excellency, Sir Geo. Prevost, or any subjects or residents thereof, within the same command, authority, and jurisdiction, who may have been made captives during the present war, and by the command and authority of the government of the U. S. and all persons belonging to the navy, army, or militia, of the U. S. or any of them, or the territories thereof, or citizens, or residents of the same, or any of them, who may have been made captives, during the present war, by and under the command and authority of Sir G. Prevost aforesaid; and which said persons, so respectively captured, are now held in confinement by the respective parties, either as prisoners of war, hostages or otherwise, shall be mutually and respectively forthwith released from confinement, and sent or permitted to proceed to the U. S. or Canada, respectively, in the manner herein after pointed out, with as little delay as may be, saving and excepting always the first three and twenty men first put into confinement on principles of retaliation, as hostages, by the U. S. and the officers and non-commissioned officers put into confinement by his excellency Sir G. Prevost, in retaliation for the confinement of said twenty-three men, private soldiers.

Art. IX. It is further mutually agreed, that all the persons thus released, and sent or permitted to return to their respective countries, who are now in Lower Canada, or on the Eastern side of the Alleghany mountains in the U. S. and also all prisoners of war who are now on parole or otherwise in their respective countries, be and the same are hereby declared to be exchanged, and that they and every of them, from and after the 15th May next, shall be perfectly and entirely free to enter and engage in the military, naval or other service of their respective countries, as if they never had been prisoners of war and hostages; and in like manner all the

said persons who are on the western side of the Alleghany mountains in the U. S. and those who are in or near Halifax, or in Nova Scotia, and who were captured by and under the command of Sir G. Prevost, shall be and are hereby declared exchanged and at liberty to enter into the naval, military, or other service of their respective countries, as if they had never been made prisoners of war and hostages.

Article VII. It is further mutually agreed and expressly understood that nothing herein contained is intended or shall in any manner prevent or hinder either party from resorting to retaliation, or replacing said hostages, whenever either may deem it proper, for the past or any future act or conduct of the opposite party.

Extract of the instrument of modification and ratification of the 16th July.

Preamble.—The following modifications of the said convention of the 15th April last have been agreed; in consequence of which, the same is hereby ratified and confirmed, on the part of the United States, in virtue of the full powers given to the aforesaid Tobias Lear, the same having been before ratified by his excellency Sir George Prevost, &c.

Article I. The twenty-three British soldiers put in confinement as hostages, by the United States, and the forty six American commissioned and non-commissioned officers put in confinement by his excellency Sir George Prevost, in retaliation for the confinement of the said twenty-three soldiers, as mentioned in the first article of the aforesaid convention, are to be immediately released and exchanged in the same manner as other prisoners of war mentioned in said article.

Article II. All accounts of exchange, relative to prisoners of war, officers, non-commissioned officers, & privates, of the army, navy, and militia, of the government of Great Britain, and of the United States of America, and of all other persons, subjects or residents of the one, or citizens or residents of the other, captured by the forces under the command of Sir George Prevost, or from his command or authority, during the present war, between Great Britain and the United States, prior to the 15th of April last, and for release and exchange of whom it is stipulated, by the ninth article of the aforesaid convention, of the 15th April aforesaid, and the twenty-three and forty-six hostages, before mentioned, are by the present modification definitively liquidated and settled, without either party having any pretension or right to any claim therein hereafter.

Extract of a letter from Col. Thomas Barclay, to the commissary general of prisoners, dated at Bladensburg, June 14, 1814.

"Should there be any British prisoners of war remaining in these states from New-York, eastward, permit me to recommend their being released, and sent in the Matilda cartel, lately arrived at Salem, with American prisoners. In the number I hope you will include all those now held as hostages, and beg leave to assure you, I have recommended to the admiral and general the release of all Americans held on similar principles to the state of ordinary prisoners; and that Mr. Mitchell be informed, he is at liberty to select them to be sent to these states, in return for British prisoners received."

Extract of a letter from the commissary general of prisoners to Col. Thomas Barclay, dated June 21st, 1814, in answer to Col. Barclay's letter of June 14, 1814.

"On the subject of hostages, I cheerfully direct to be released, and sent to Halifax, any such as we now hold on the maritime frontier of Massachusetts; if you will engage that the persons at Halifax, on whose account they were confined, shall be immediately released and returned to the United States. I believe there are but sixteen of that description, whose names are enclosed. The few then remaining, with the desire to direct the relaxa-

tion proposed by you, I will direct to be confined with other non-paroled prisoners, on board the prison ship at Salem."

Bladensburg, June 21, 1814.

SIR,

I had hoped, in consequence of my having acquainted you, I had recommended the naval and military commanders at Halifax to release to the state of ordinary prisoners all the Americans then held on retaliatory principles, that this government would have been induced to adopt a similar conciliatory measure, and thereby relieve the unfortunate men who have been so unpleasantly situated. You will by a re-perusal of my late letters on this subject, perceive the unpleasant consequences to which his Majesty's government will be driven, if the acts above mentioned on the part of his Majesty do not meet a corresponding conduct on the part of this government.

Mr. Prince, the marshal of Massachusetts, has informed Mr. Simpson, that you have directed him to retain eighteen British prisoners as hostages, for a like number of men, part of the 101 American prisoners sent last autumn to England.

On the 14th inst. I requested you to inform me, whether you would consent that all the British prisoners who might remain in the eastern states after the departure of the *Perserverance* cartel to Halifax should be sent in the *Matilda* cartel for Halifax, for whom I would order an equivalent to be returned.—A measure of this nature must prove equally advantageous to both nations. Permit me to request your answer, and if it is the determination of this government to hold any British subjects as hostages, that you will favour me with a list of their names, and the places of confinement.

I have the honour to be, Sir, your obedient servant.

(Signed)
THOMAS BARCLAY.

Gen. Mason, &c.
Extract of a letter from the Commissary General of Prisoners, dated at Bladensburg, June 22d, 1814.

SIR,

"I am this moment honored with your letter of yesterday.

"I am pleased with your consenting to send all the British prisoners remaining in the eastern states to Halifax, and that the hostages are to be included. I have repeatedly informed you, that a prisoner held as an hostage at Halifax, should be released to the state of ordinary prisoners, and that Mr. Mitchell should be at liberty to select whom he pleased in making up the equivalent to be sent from Halifax. I will be answerable that the above is carried into effect, and that an equivalent, under Mr. Mitchell's election, is immediately sent from Halifax to Salem, in return for the men whom the *Matilda* carries from Salem."

Extract of a letter from the Commissary General of Prisoners to Colonel Thomas Barclay, dated at Washington, June 22, 1814.

"I have received your letters of this date, and of the 21st inst. I shall in consequence of your engagement in that of the 22d inst. and in compliance with the terms of mine, of yesterday, by the mail made up to-day, instruct Mr. Prince to collect all the prisoners he can in reasonable time and send by the cartel *Matilda*, and such hostages as have been designated in retaliation against American prisoners confined at Halifax."

"The other hostages designated for American prisoners sent to England, will be placed in the ordinary state of non-paroled prisoners, and those at Fort-Swall removed to the prison ship at Salem for that purpose."

Bladensburg, August 9, 1814.

SIR,

I had hoped, in consequence of my several letters to you on the subject of retaliation, and the release of all the American prisoners held as hostages in his Majesty's dominions under retaliatory orders, of which I have given you notice, that

20 Dollars Reward.

Ran away on the 2d of May, a Negro Man called Ned, who, with several others, added that of Jones, and brought suit in Anne-Arundel county, by John Golder, for their right to freedom, which suit, at the last term of the court, was dismissed for the want of proof. He is a straight likely black fellow, 22 years of age, 5 feet 8 or 9 inches high, and has under one of his eyes, a scar about an inch long and broad. No descriptive information can be given as to his cloaths; he went off with a straw hat, a country roundabout striped jacket and trousers, and good shoes and stockings. It is probable he may endeavour to get to Baltimore, or to the City of Washington. I will pay a dollar a mile on the distance he may be taken, if committed to gaol, so that I get him again; fifteen dollars if taken at Annapolis and committed; ten dollars if taken in the neighbourhood, or twenty if taken in Calvert county.

I am informed that an old yellow woman resides in Calvert who calls herself Hannah Jones, and who my Negroes, who claimed their freedom, call aunt—she is wife to a miller, who attends or did attend a mill, once the property of a Mr. Smith, and purchased by Capt. David Carcaud.

WM. BROGDEN,
June 27, 1814.

NOTICE.

The subscriber having obtained from the orphans court of Anne Arundel county, letters of administration D. B. N. on the personal estate of Samuel Green, late of Anne Arundel county, deceased, all persons having claims against said deceased are hereby requested to bring them in, legally proved, and those who are indebted to the same to make immediate payment, more especially those who are indebted for postage on letters, &c.

Richard H. Harwood,
Admr. D. B. N.

Feb. 24.

NOTICE.

The subscriber has placed in the hands of Thomas H. Bowie, Esq. his attorney at law, in Annapolis, all the bonds, notes, and accounts, due to the estate of the late Mr. Bennett Darnall, deceased; and takes this method of informing all those who are in any manner indebted to that estate, that he has directed suits to be instituted against every person without distinction, that shall fail of discharging the amount due, when the same is demandable. The purchasers at the sale made by the executor are requested to pay particular attention to this notice.

August 4, 1814. Mercer,
116 Sep.

Anne-Arundel County, &c.

On application to me the subscriber, chief judge of the third judicial district, in the recess of Anne-Arundel county court, by petition, in writing, of Philip Clayton, of said county, praying the benefit of the act for the relief of sundry insolvent debtors, passed at November session, eighteen hundred and five, and of the several supplements thereto, on the terms mentioned in the said act, a schedule of his property, and a list of his creditors, on oath, as far as he can ascertain them, as directed by the said act, being annexed to his petition; and being satisfied that the said Philip Clayton has resided the two preceding years prior to his said application within the state of Maryland, and the said Philip Clayton, having stated in his petition, that he is in actual custody, and praying to be discharged therefrom; I do therefore order and adjudge that the said Philip Clayton be discharged from his confinement; and by causing a copy of this order to be inserted in the Maryland Gazette or Maryland Republican once a week, for three successive months, before the first Monday of February next, give notice to his creditors to appear before the said county court, to be held at the city of Annapolis, on the first Monday of February next, for the purpose of recommending a trustee for their benefit, and to show cause, if any they have, why the said Philip Clayton should not have the benefit of the said act, and the supplements, as prayed.

JEREMIAH T. CHASE.

Test. Wm. S. Green, Clk.

A LIST OF THE
AMERICAN NAVY,
WITH
STEEL'S LIST OF THE
BRITISH NAVY.

For Sale at GEORGE SHAW'S Store,
and at this Office.

—Price 12 1-2 Cents.—

Blank Bonds, Declarations
on Bond, Appeal Bonds, & Common Warrants—For sale at this Office.