

Washington City, October 27, 1807.

This day, at 12 o'clock, the President of the United States communicated, by Mr. Coles, his secretary, the following Message to both houses of congress:

To the senate and house of Representatives of the United States.

Circumstances, fellow citizens, which seriously threatened the peace of our country have made it a duty to convene you at an earlier period than usual. The love of peace so much cherished in the bosom of our citizens, which has so long guided the proceedings of their public councils, and induced forbearance under so many wrongs, may not ensure our continuance in the quiet pursuits of industry. The many injuries and depredation committed on our commerce and navigation upon the high seas for years past, the successive innovations on those principles of public law which have been established by the reason and usage of nations as the rule of their intercourse, and the umpire and security of their rights and peace, and all the circumstances which induced the extraordinary mission to London, are already known to you. The instructions given to our ministers were framed in the sincerest spirit of amity and moderation. They accordingly proceeded, in conformity therewith, to propose arrangements which might embrace and settle all the points in difference between us: which might bring us to a mutual understanding on our neutral and national rights, and provide for a commercial intercourse on conditions of some equality. After long and fruitless endeavors to effect the purposes of their mission and to obtain arrangements within the limits of their instructions they concluded to sign such as could be obtained and to send them for consideration: candidly declaring to the other negotiators at the same time, that they were acting against their instructions and that their government therefore could not be pledged for ratification. Some of the articles proposed might have been admitted on a principle of compromise, but others were too highly disadvantageous; and no sufficient provision was made against the principal source of the irritations and collisions which were constantly endangering the peace of the two nations. The question therefore whether a treaty should be accepted in that form could have admitted but of one decision, even had no declarations of the other party impaired our confidence in it.—Still anxious not to close the door against friendly adjustment, new modifications were framed & further concessions authorized than could before have been supposed necessary: & our ministers were instructed to resume their negotiations on these grounds. On this new reference to amicable discussion we were reposing in confidence, when on the twenty-second day of June last, by a formal order from a British admiral, the frigate Chesapeake, leaving her port for a distant service, was attacked by one of those vessels which had been lying in our harbors under the indulgences of hospitality, was disabled from proceeding, had several of her crew killed, and four taken away. On this outrage no commentaries are necessary. Its character has been pronounced by the indignant voice of our citizens with an emphasis and unanimity never exceeded. I immediately by proclamation, interdicted our harbors and waters to all British armed vessels, forbade intercourse with them, and uncertain how far hostilities were intended, and the town of Norfolk indeed being threatened with immediate attack, a sufficient force was ordered for the protection of that place, and such other preparations commenced and pursued as the prospect rendered proper. An armed vessel of the United States was dispatched with instructions to our ministers at London, to call on that government for the satisfaction and security required by the outrage. A very short interval ought now to bring the answer which shall be communicated to you as soon as received: then also, or as soon after as the public interests shall be found to admit, the unsatisfied treaty and proceedings relative to it shall be made known to you.

The aggression, thus begun, has been continued on the part of the British commanders, by remaining within our waters in defiance of the authority of the country, by habitual violations of the jurisdiction, & at length by putting to death one of the persons whom they had forcibly taken from on board the Chesapeake. These aggravations necessarily lead to the policy either of

never admitting an armed vessel into our harbors or of maintaining in every harbor such an armed force as may constrain obedience to the laws, and protect the lives and property of our citizens against their armed guests. But the expense of such a standing force, and its inconsistency with our principles, dispense with those courtesies which would necessarily call for it, and leave us equally free to exclude the navy, as we are the army of a foreign power from entering our limits.

To former violations of maritime rights, another is now added of very extensive effect. The government of that nation has issued an order interdicting all trade by neutrals between ports not in amity with them. And being now at war with nearly every nation on the Atlantic and Mediterranean seas, our vessels are required to sacrifice their cargoes at the first port they touch or to return home without the benefit of going to any other market. Under this new law of the ocean, our trade on the Mediterranean has been swept away by seizures and condemnations, and that in other seas is threatened with the same fate.

Our differences with Spain remain still unsettled; no measure having been taken on her part, since my last communications to congress, to bring them to a close. But under a state of things which may favor reconsideration, they have been recently pressed, & an expectation is entertained that they may now soon be brought to an issue of some sort. With their subjects on our borders, no new collisions have taken place; nor seem immediately to be apprehended. To our former grounds of complaint has been added a very serious one, as you will see by the decree, a copy of which is now communicated. Whether this decree which professes to be conformable to that of the French government of Nov. 21, 1806, heretofore communicated to Congress, will also be conformable to that in its construction and application in relation to the United States, had not been ascertained at the date of our last communications. These however gave reason to expect such a conformity.

With the other nations of Europe our harmony has been uninterrupted, and commerce and friendly intercourse have been maintained on their usual footing. Our peace with the several states on the coasts of Barbary appears as firm as at any former period, and as likely to continue as that of any other nation.

Among our Indian neighbors in the north western quarter, some fermentation was observed soon after the late occurrences threatening the continuance of our peace. Messages were said to be interchanged, and tokens to be passing which usually denote a state of restlessness among them, and the character of the agitators pointed to the sources of excitement. Measures were immediately taken for providing against that danger: instructions were given to require explanations, and, with assurances of our continued friendship, to admonish the tribes to remain quiet at home, taking no part in quarrels not belonging to them. As far as we are yet informed the tribes in our vicinity, who are most advanced in the pursuits of industry, and sincerely disposed to adhere to their friendship with us, and to their peace with all others.—While those more remote do not present appearances sufficiently quiet to justify the interposition of military precaution on our part.

The great tribes on our south western quarter, much advanced beyond the others in agriculture and household arts, appear tranquil and identifying their views with ours in proportion to their advancements. With the whole of these people, in every quarter, I shall continue to inculcate peace and friendship with all their neighbors, and perseverance in those occupations and pursuits which will best promote their own well being.

The appropriations of the last session, for the defence of our sea port towns and harbors, were made under expectation that a continuance of our peace would permit us to proceed in that work according to our convenience. It has been thought better to apply the sums then given towards the defence of New York, Charleston and New Orleans, chiefly, as most open and most likely first to need protection; and to leave places less immediately in danger to the provisions of the present session.

The gun boats too already provided have on a like principle, been chiefly assigned to New York, New Orleans and the Chesapeake. Whether our moveable force on

the water, so material in aid of the defensive works on the land, should be augmented in this or any other form, is left to the wisdom of the Legislature. For the purpose of manning these vessels, in sudden attacks on our harbors, it is a matter for consideration whether the seamen of the U. States may not justly be formed into a special militia, to be called on for tours of duty in defence of the harbors where they shall happen to be; the ordinary militia of the place furnishing that portion which may consist of landment.

The moment our peace was threatened, I deemed it indispensable to secure a greater provision of those articles of military stores with which our magazines were not sufficiently furnished. To have awaited a previous and special sanction by law would have lost occasions which might not be retrieved. I did not hesitate therefore to authorize engagements for such supplements to our existing stock as would render it adequate to the emergencies threatening us; and I trust that the legislature feeling the same anxiety for the safety of our country, so materially advanced by this precaution, will approve when done what they would have seen so important to be done, if then assembled. Expenses, also unprovided for arose out of the necessity of calling all our gun-boats into actual service for the defence of our harbors, of all which accounts will be laid before you.

Whether a regular army is to be raised, and to what extent, must depend on the information so shortly expected. In the meantime I have called on the states for quotas of militia, to be in readiness for present defence; and have moreover encouraged the acceptance of Volunteers, and I am happy to inform you that these have offered themselves with great alacrity in every part of the union. They are ordered to be organized, and ready at a moments warning, to proceed on any service to which they may be called, and every preparation within the executive powers has been made to ensure us the benefit of early exertions.

I informed Congress at their last session, of the enterprises against the public peace, which were believed to be in preparation by Aaron Burr, and his associates, of the measures taken to defeat them, and to bring the offenders to justice. Their enterprises were happily defeated, by the patriotic exertions of the militia, whenever called into action, by the fidelity of the army, and the energy of the commander in chief, in promptly arranging the difficulties presenting themselves on the Sabine, repairing to meet those arising on the Mississippi, and dissipating before their explosion, plots, engendering there; I shall think it my duty to lay before you the proceedings, and the evidence publicly exhibited on the arraignment of the principal offenders before the district court of Virginia. You will be enabled to judge whether the defect was in the testimony, in the law, or in the administration of the law; and wherever it shall be found, the Legislature alone can apply or originate the remedy. The framers of our constitution certainly supposed they had guarded, as well their government against destruction by treason, as their citizens against oppression, under pretence of it; and if these ends are not attained, it is of importance to enquire by what means more effectually, they may be secured.

The accounts of the receipts of revenue, during the year ending on the thirtieth day of September last, being not yet made up, a correct statement will hereafter be transmitted from the treasury. In the mean time it is ascertained that the receipts have amounted to near sixteen millions of dollars; which with the five millions and a half in the treasury, at the beginning of the year, have enabled us, after meeting the current demands and interest incurred, to pay more than the four millions of the principal of our funded debt. These payments, with those of the preceding five years, have extinguished of the funded debt, twenty five millions and a half of dollars, being the whole which could be paid or purchased within the limits of the law, and of our contracts, and have left us in the treasury eight millions and a half of dollars.

A portion of this sum may be considered as a commencement of accumulation of the surplus of revenue, which after paying the installment of debt, as they shall become payable, will remain without any specific object. It may partly indeed be applied towards completing the defence of the exposed points of our country, on such a scale as shall be adapted to our principles and circumstances. This object is doubtless a-

mong the first entitled to attention in such a state of our finances, and it is one which, whether we have peace or war, will provide security where it is due. Whether what shall remain of this, with the future surpluses, may be usefully applied to purposes already authorized, or more usefully to others requiring new authorities, or how otherwise they shall be disposed of, are questions calling for the notice of Congress; unless indeed they shall be superseded by a change in our public relations, now awaiting the determination of others. Whatever be that determination it is a great consolation that it will become known at a moment when the supreme council of the nation is assembled at its post, and ready to give the aids of its wisdom and authority to whatever course the good of our country shall then call us to pursue.

Matters of minor importance will be the subjects of future communications; and nothing shall be wanting on my part which may give information or dispatch to the proceedings of the legislature in the exercise of their high duties, and at a moment so interesting to the general welfare.

TH: JEFFERSON.

Tuesday, Oct. 27, 1807.

INDIANA TERRITORY,

WHEREAS a writ of foreign attachment has issued out of the general court for the said Territory directed to the sheriff of Knox county, against the lands, tenements, goods, chattels and effects, rights and credits of Joseph Baird, at the suit of Daniel Smith, in a plea of trespass on the case, by virtue of which writ the sheriff hath attached sundry monies, goods and chattels of the said Joseph Baird.—Now notice is hereby given, that unless the said Joseph Baird shall appear by himself or attorney, to give special bail, to answer the said suit, judgment will be entered against him by default, and the said estate so attached, will be sold for the satisfaction of all creditors who shall appear to be justly entitled to a demand thereon, and shall apply for that purpose.

HENRY HURST, C. G. C.
JOHN JOHNSON, }
Atty. for plff. }
Dated the 25th Oct. 1807.

INDIANA TERRITORY, &c.

Edmund Clark, plaintiff.

vs.

Josiah Stephens, defendant.

On Foreign Attachment.

WHEREAS a writ of foreign attachment hath issued out of the court of Common Pleas, of said county, against the lands and tenements, goods, chattels and effects, rights and credits, of the said Josiah Stephens, at the suit of the said Edmund Clark, in an action of debt, for three thousand dollars; by virtue of which writ, the sheriff of said county hath attached sundry property of said defendant.

Notice is hereby given, that unless the said defendant, Josiah Stephens, shall, by himself, or his attorney, appear and give special bail, to answer said suit, judgment will be entered against him by default, and the property so attached, be sold for the satisfaction of all creditors who shall appear to be justly entitled to a demand thereon, and shall apply for that purpose.

Teste.

SAML. GWATHMEY, C. C. P.
WARDEN POPE, }
Atty. for plff. }
Nov. 21, 1807.

INDIANA TERRITORY,

Randolph County,

Bryand Morrison } to wit, foreign attachment
vs. } ment at March term
James Haggan, } 1805,

In the above case notice is hereby given to the defendant, that unless he be and appear before the court of common pleas next to be holden at Kaskaskia, in and for the county of Randolph on the third Monday in December next and shall by himself or attorney then and there enter special bail in the said action for the sum of two hundred and twenty-five dollars, and receive a declaration and plead to the same, that judgment will be rendered against him and the goods, chattels, lands and tenements in this case attached, will be sold to satisfy his debts agreeably to law.—Sep. 14 1807.

ROBERT MORRISON, C. R. C.
R. ROBISON,
Attorney for plff.