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From the National Intelligencer.

Negotiations at Ghent.

[CONCLUDED.]

PROTOCOL OF CONFERENCE.

August 8th, 1814.

The British and American Commissioners having met, their full powers were respectively produced, which were found satisfactory, and copies thereof were exchanged.

The British commissioners stated the following subjects as those upon which it appeared to them that the discussions between themselves and the American commissioners, would be likely to turn.

1. The forcible seizure of mariners from on board merchant ships on the high seas, and in connexion with it the right of the King of Great Britain to the allegiance of all his native subjects.

2. That the peace be extended to the Indian allies of Great Britain, and that the boundary of their territory be definitely marked out, as a permanent barrier between the dominions of Great Britain and the United States. An arrangement on this subject to be a *sine qua non* of a treaty of peace.

3. A revision of the boundary line between the British and American territories, with a view to prevent future uncertainty and dispute.

The British commissioners requested information whether the American commissioners were instructed to enter into negotiation on the above points? But before they desired any answer, they felt it right to communicate the intention of their government as to the North American fisheries, viz. That the British Government did not intend to grant to the United States, gratuitously, the privileges formerly granted by treaty to them, of fishing within the limits of the British sovereignty, and of using the shores of the British territories for purposes connected with the fisheries.

August 9.

The meeting being adjourned to the 9th of August, the commissioners met again on that day.

The American commissioners at this meeting stated that upon the first and third points proposed by the British commissioners, they were provided with instructions from their Government, and that the second and fourth of these points were not provided for in their instructions. That in relation to an Indian pacification they knew that the government of the United States had appointed commissioners to treat of peace with the Indians, and that it was not improbable that peace had been made with them.

The American commissioners presented as further subjects considered by the Government of the United States as suitable for discussion.

1. A definition of blockade, and as far as may be agreed, of other neutral and belligerent rights.

2. Certain claims of indemnity to individuals for captures and seizures preceding and subsequent to the war.

3. They further stated that there were various other points to which their instructions extended, which might with propriety be objects of discussion, either in the negotiation of the peace, or in that of a treaty of commerce, which in the case of a propitious termination of the present conferences they were likewise authorized to conclude. That for the purpose of facilitating the first and most essential object of peace, they had discarded every subject which was not considered as peculiarly connected with that, and presented only those points which appeared to be immediately relevant to this negotiation.

The American commissioners expressed their wish to receive from the British commissioners a statement of the views and objects of Great Britain upon all the points, and their willingness to discuss them all.

They, the American commissioners were asked, whether, if those of Great Britain should enter further upon this discussion, particularly respecting Indian boundary, the American commissioners could expect that it would terminate by some provisional arrangement, which they could conclude, subject to the ratification of their government.

They answered, that as any arrangement to which they could agree upon the subject must be without specific authority from their government, it was not possible for them, previous to discussion, to decide whether any article on the subject could be formed which would be mutually satisfactory, any to which they should themselves, under their discretionary powers, justified in acceding.

The meeting was adjourned.

True copy,
CHRISTOPHER HUGHES, Jr.
Sec'y of Legation.

Draught of original protocol made by the American Ministers, of the two first conferences held with the British Commissioners.

At a meeting between the Commissioners of his Britannic Majesty and those of the United States of America, for negotiating and concluding a peace, held at Ghent, 8th August, 1814, the following points were presented by the Commissioners on the part of Great Britain as subjects for discussion.

1. The forcible seizure of mariners on board of merchant vessels, and the claim of allegiance of his Britannic Majesty upon all the native born subjects of Great Britain.

2. The Indian allies of Great Britain to be included in the pacification, and a boundary to be settled between the dominions of the Indians and those of the United States. Both parts of this point are considered by the British government as *sine qua non* to the conclusion of a treaty.

3. The revision of the boundary line between the territories of the U. States and those of Great Britain, adjoining them in North America.

4. The Fisheries—respecting which the British government will not allow the people of the United States the privilege of landing and drying fish, within the territorial jurisdiction of Great Britain, without an equivalent.

The American Commissioners were requested to say, whether their instructions from their government authorized them to treat upon these several points; and to state on their part such other points as they might be further instructed to propose for discussion.

The meeting was adjourned to Tuesday the 9th August, on which day the Commissioners met again.

The American Commissioners at this meeting stated, that upon the first and third points proposed by the British Commissioners they were provided with instructions from their government; and that on the second and fourth of those points, there not having existed heretofore any differences between the two governments, they had not been anticipated by the government of the United States, and were therefore not provided for in their instructions. That in relation to an Indian pacification they knew that the government of the U. States had appointed Commissioners to treat of peace with the Indians; and that it was not impossible that peace had been made with them.

The American Commissioners presented as further points (subjects) considered by the government of the U. States as suitable for discussion.

1. A definition of Blockade, and, as far as may be agreed, of other neutral and belligerent rights.

2. Certain claims of indemnity to individuals for captures and seizures, preceding and subsequent to the war.

3. They further stated, that there were various other points to which their instructions extended which might with propriety be objects of discussion, either in the discussion of the peace or in that of a treaty of commerce, which in case of a propitious termination of the present conferences they were likewise authorized to conclude. That for the purpose of facilitating the first and most essential object of peace, they had discarded every subject which was not considered as peculiarly connected with that, and presented only those points, which appeared to be immediately relevant to this negotiation.

The American Commissioners expressed their wish to receive from the British Commissioners a statement of

the views and objects of Great Britain upon all the points, and their willingness to discuss them all, in order that if no arrangement could be agreed to upon the points not in their instructions, which would come within the scope of the powers committed to their discretion, the Government of the United States might be put in possession of the entire and precise intentions of that of Great Britain with regard to such points; and that the British government might be fully informed of the objections on the part of the United States to any such arrangement.

They, the American Commissioners, were asked whether, if those of Great Britain should enter further upon the discussion, particularly respecting the Indian boundary, the American Commissioners could expect that it would terminate by some provisional arrangement which they could conclude, subject to the ratification of their government.

They answered that as any arrangement to which they agree upon the subject must be with specific authority from their Government, it was not possible for them previous to discussion, to decide whether an article on the subject could be formed which would be mutually satisfactory, and to which they should think themselves, under the discretionary powers, justified in acceding.

The British Commissioners declined entering upon the discussion, unless the American Commissioners would say, that they considered it within their discretion to make a provisional arrangement on the subject, conformable to the view of it prescribed by the British government, proposed to adjourn the conferences for the purpose of consulting their own government on this state of things.

The British Commissioners were asked, whether it was understood as an effect of the proposed boundary for the Indians, that the United States would be precluded from the right of purchasing territory from the Indians within that boundary by amicable treaty with the Indians themselves, without the consent of Great Britain? And whether it was understood to operate as a restriction upon the Indians from selling, by such amicable treaties, lands to the United States, as has been hitherto practised.

They answered, that it was understood, that the Indian territories should be a barrier between the British possessions and those of the United States; that the United States and Great Britain should both be restricted from such purchases of lands, but that the Indians would not be restricted from selling to any third party.

The meeting was adjourned to Wednesday, 10th August.

True copy, C. HUGHES, Jr.
Sec. to the Mission Extraordinary.

Messrs. Adams, Bayard, Clay, Rufel, and Gallatin, to Mr. Monroe, Secretary of State, dated GHENT, 19th AUGUST, 1814.

SIR—Mr. Baker, Secretary to the British mission, called upon us to day, at 1 o'clock, and invited us to a conference to be held at 3.—This was agreed to, and the British Commissioners opened it by saying, that they had received further instructions this morning, and had not lost a moment in requesting a meeting for the purpose of communicating the decision of their Government. It is proper to notice, that Lord Castlereagh had arrived last night in this city, whence, it is said, he will depart to-morrow, on his way to Brussels and Vienna.

The British Commissioners stated,

that their Government had felt some surprise, that we were not instructed respecting the Indians, as it could not have been expected that they would leave their Allies, in their comparatively weak situation, exposed to our resentment.—Great Britain might justly have supposed, that the American Government would have furnished us with instructions, authorising us to agree to a positive article on the subject; but the least she could demand, was that we should sign a provisional article, admitting the principle, subject to the ratification of our Government; so that, if it should be ratified, the treaty should take effect; and, if not, that it should be null and void; on our assent or refusal to admit such an article would depend the continuance or suspension of the negotiation.

As we had represented that the proposition made by them, on that subject, was not sufficiently explicit, their Government had directed them to give us every necessary explanation, and to state distinctly the basis which must be considered as an indispensable preliminary.

It was a *sine qua non* that the Indians should be included in the pacification, and as incident thereto, that the boundaries of their territory should be permanently established. Peace with the Indians was a subject so simple, as to require no comment. With respect to the boundaries which were to divide their territory from that of the United States, the object of the British Government was, that the Indians should remain as a permanent barrier between our Western settlements, and the adjacent British Provinces, to prevent them from being counterminous to each other; and that neither the United States nor Great Britain, should ever hereafter, have the right to purchase, or acquire any part of the territory thus recognized, as belonging to the Indians. With regard to the extent of the Indian territory, and the boundary line, the British Government would propose the lines of the Greenville treaty, as a proper basis, subject, however, to discussions and modifications.

We stated that the Indian territory, according to these lines, would comprehend a great number of American citizens, not less than an hundred thousand; and asked, what was the intention of the British government, respecting them, and under whose government they would fall? It was answered, those settlements would be taken into consideration, when the line became a subject of discussion; but that such of the inhabitants as would ultimately be included within the Indian territory, must make their own arrangements and provide for themselves.

The British Commissioners here said, that considering the importance of the question we had to decide, (that of agreeing to a provisional article) their government had thought it right, that we should also be fully informed of its views, with respect to the proposed revision of the boundary line, between the dominions of G. Britain and the United States.

1st. Experience has proved, that the joint possession of the Lakes, and a right common to both Nations to keep up a naval force on them, necessarily produce collision, and rendered peace insecure. As Great Britain could not be supposed to expect to make conquests in that quarter, and as that Province was essentially weaker than the United States, and exposed to invasion, it was necessary, for its security, that G. Britain should require that the United States