EASTON GAZETTE.

WHERE THE PRESS IS FREE—"Literature well or ill-conducted is the Great Engine by which all Popular States must ultimately be supported or overthrown—RELIGION purifies the Heart and teaches us our Duty—Morality refines the Manners—Agriculture makes us Rich, and Politics provides for the enjoyment of all."

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THE U. STATES & GREAT BRITAIN.

We have taken some trouble to spread before our readers to day, the important correspondence between the Minister of Great Britan and the Secretary of State, touching the case of McLeod, and the questions of national and municipal law connected with it. We need not ask of any of our readers an attentive perusal of the first State Paper, of any consequence, from the pen of Mr. WEBSTER that has been placed within the reach of the Public.—We have read it with great satisfaction, and with renewed respect for the patriotism as well as the ability of the writer.

We are gratified to find that the conduct of the Government of the United States in respect to neutral duties, both in their assertion and in their enforcement, has at last been placed on its true footing, before the British Government, and now, by this publication of Mr. WEBSTER's Letter, before the whole world.—The United States, it will be seen, so far from encouraging or in any way countenancing infractions of neutrality by its citizens, was first among civilized nations, by legal enactments, to provide for the punishment of such violations of national law on their part. This example was set by this then young and honest Government as early as in the wars which had their origin in the French Revolution, and from those days of WASHINGTON to the present day has never been contravened by any action of this Government.—Nat. Int.

DOCUMENTS

Accompanying the President's Message.

FROM THE DEPARTMENT OF STATE.

MR. FOX TO MR. WEBSTER.

WASHINGTON, March 12, 1841

The undersigned, Her Britannic Magesty's Envoy Extraordinary and Minister Plenipotentiary, is instructed by his Government to make the following official communication to the Government of the United States:

Her Majesty's Government have had under their consideration the correspondence which took place at Washington in December last, between the U. States' Secretary of State Mr. Forsyth, and the undersigned, comprising two official letters from the undersigned, to Mr. Forsyth, dated the 13th and 29th of December, and two official letters from Mr. Forsyth to the undersigned, dated the 26th and 30th of the same month upon the subject of the arrest and imprisonment of Mr. Alexander McLeod, of Upper Canada, by the authorities of the State of New York, upon a pretended charge of arson and murder as having been engaged in the capture and destruction of the steamboat "Caroline" on the 29th of December, 1837.

The undersigned is directed in the first place to make known to the Government of the United States, that *Her* Majesty's Government entirely approve of the course pursued by the undersigned in that correspondence, and of the language adopted by him in the official letters above mentioned

And the undersigned is now instructed again to demand from the Government of the United States formally, in the name of the British Government, the immediate release of Mr. Alexander McLeod.

The grounds upon which the British Government make this demand upon the Government of the United States are these: That the transaction, on account of which Mr. McLeod has been arrested and is to be put upon his trial, was a transaction of a public character, planned and executed by persons duly empowered by Her Majesty's Colonial Authorities to take any steps and to do any acts which might be necessary for the defence of Her Majesty's territories and for the protection of her Her Majesty's subjects, and that consequently those subjects of Her Majesty who engaged in that transaction were performing an act of public duty, for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country.

The transaction in question may have been, as Her Majesty's Government are of opinion that it was, a justifiable employment of force for the purpose of defending the British territory from the unprovoked attack of a band of British rebels and American pirates, who, having been permitted to arm and organize themselves within the territory of the U. States, had actually invaded and occupied a portion of the territory of *Her* Majesty, or it may have been, as alleged by Mr. Forsyth in his note to the undersigned of the 26th of December, 'a most unjustifiable invasion in time of peace of the territory of the United States.' But this is a question essentially of a political and international kind, which can be discussed and settled only between the two Governments, and which the courts of justice of the State of New York cannot by possibility have any means of judging or any right of deciding.

It would be contrary to the universal practice of civilized nations to fix individual responsibility upon persons who, with the sanction or by the order of the constituted authorities of a State, engaged in military or naval enterprises in their country's cause; and it is obvious that the introduction of such a principle would frightfully increase the demoralizing effects of war, by mixing up with national exasperation the ferocity of personal passions, and the cruelty and bitterness of individual revenge.

Her Majesty's Government cannot believe that the Government of the United States can really intend to set an example so fraught with evil to the community of nations, and the direct tendency of which must be to bring back into the practice of modern war, atrocities which civilization and Christianity have long since banished.

Neither can Her Majesty's Government admit for a moment the validity of the doctrine advanced by Mr. Forsyth, that the Federal Government of the United States has no power to interfere in the matter in question, and that the decision thereof must rest solely and entirely with the State of New York.

With the particulars of the internal compact, which may exist between the several States that compose the Union, foreign Powers have nothing to do: the relations of foreign Powers are with the aggregate Union: that Union is to them represented by the Federal Government; and of that Union the Federal Government is to them the only organ. Therefore, when a foreign Power has redress to demand for a wrong done to it by any State of the Union, it is to the Federal Government, and not to the separate State, that such Power must look for redress for that wrong. And such foreign Power cannot admit the plea that the separate State is an independent body over which the Federal Government has no control. It is obvious that such a doctrine, if admitted, would at once go to a dissolution of the Union as far as its relations with foreign Powers are concerned; and that foreign Powers, in such case, instead of accrediting diplomatic agents to the Federal Government, would send such agents not to that Government, but to the Government of each separate State; and would make their relations of peace and war with each State depend upon the result of their separate intercourse with such State, without reference to the relations they might have with the rest

Her majesty's Government apprehend that the above is not the conclusion at which the Government of the United States intend to arrive, yet such is the conclusion to which the arguments that have been advanced by Mr. Forsyth necessarily lead.

But be that as it may, Her Majesty's Government formally demand, upon the grounds already stated, the immediate release of Mr. McLeod; and Her Majesty's Government entreat the President of the United States to take into his most deliberate consideration the serious nature of the consequences which must ensue from a rejection of this demand.

The United States Government will perceive that, in demanding Mr. McLeod's release, *Her* Majesty's Government argue upon the assumption that he was one of the persons engaged in the capture of the steamboat 'Caroline;' but Her Majesty's Government have the strongest reasons for being convinced that Mr McLeod was not in fact engaged in that transaction; and the undersigned is hereupon instructed to say that, although the circumstance itself makes no difference in the political and international question at issue; and although *Her* Majesty's Government do not demand Mr McLeod's release upon the ground that he was not concerned in the capture of the 'Caroline,' but upon the ground that the capture of the 'Caroline' was a transaction of a public character for which the persons engaged in it cannot incur private and personal responsibilities; yet the Government of the United States must not disguise from themselves the fact that Mr. McLeod was not engaged in the transaction must necessarily tend greatly to inflame that national resentment which any harm that shall be suffered by Mr. McLeod, at the hands of the authorities of the State of New York, will infallibly excite throughout the whole of the British Empire

The undersigned, in addressing the present official communication, by order of his Government, to Mr Webster, Secretary of State of the United States, has the honor to offer to him the assurance of his distinguished consideration H. S FOX

The Hon. DANIEL WEBSTER, &c. &c &c.

MR WEBSTER TO MR FOX.

DEPARTMENT OF STATE, Washington, April 24, 1841

The undersigned, Secretary of State of the United States, has the honor to inform Mr. Fox Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, that his note of the 12th of March was received and laid before the President

Circumstances well known to Mr Fox have necessarily delayed, for some days, the consideration of that note.

The undersigned has the honor now to say that it has been fully considered, and that he has been directed by the President to address to Mr Fox the following reply:

Mr. Fox informs the Government of the United States that he is instructed to make known to it that the Government of Her Majesty entirely approve the course pursued by him in his correspondence with Mr. Forsyth in December last, and the language adopted by him on that occasion; and that that Government have instructed him "again to demand from the Government of the United States, formally, in the name of the British Government, the immediate release of Mr. Alexander McLeod," that "the grounds upon which the British Government make this demand upon the Government of the United States are these:—That the transaction on account of which Mr McLeod has been arrested and is to be put upon his trial was a transaction of a public character, planned and executed by persons duly empowered by Her Majesty's colonial authorities to take any steps and do any acts which might be necessary for the defence of *Her* Majesty's territories & for the protection of her Majesty's subjects, and that consequently those subjects of Her Majesty who engaged in that transaction were performing an act of public duty, for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country."

The President is not certain that he understands precisely the meaning intended by Her Majesty's Government to be conveyed by the foregoing instruction.

This doubt has occasioned with the President some hesitation, but he inclines to take it for granted that the main purpose of the instruction was to cause it to be signified to the Government of the United States that the attack on the steamboat "Caroline" was an act of public force, done by the British Colonial authorities, & fully recognized by the Queen's Government at home, and that consequently no individual concerned in that transaction can according to the just principle of the laws of nations, be held personally answerable in the ordinary courts of law, as for a private offence, and that upon this avowal of her Majesty's Government, Alexander McLeod, now imprisoned on an indictment for murder, alleged to have been committed in that attack, ought to be released by such proceedings as are usual and are suitable to the case.

The President adopts the conclusion that nothing more than this could have been intended to be expressed, from the consideration that Her Majesty's Government must be fully aware that in the United States, as in England, persons confined under judicial process can be released from that confinement only by judicial process. In neither country, as the undersigned supposes, can the arm of the Executive power interfere, directly or forcible, to release or deliver the prisoner. His discharge must be sought in a manner conformable to the principles of law and the proceedings of courts of judicature If an indictment like that which has been found against Alex. McLeod, and under circumstances like those which belong to his case, were pending against an individual in one of the courts of England, there is no doubt that the law officer of the Crown might enter a *nolle prosequi*, or that the prisoner might cause himself to be brought up on *habeas corpus* and discharged, if his ground of discharge should be adjudged sufficient, or that he might prove the same facts and insist on the same defence or exemption on his trial

All these are legal modes of proceeding, well known to the laws and practice of both countries. But the undersigned does not suppose that, if such a case were to arise in England, the power of the Executive Government could be exerted in any more direct manner. Even in the case of Ambassadors and other public Ministers, whose right to exemption from arrest is personal, requiring no fact to be ascertained but the mere fact of diplomatic character, & to arrest whom is sometimes made a highly penal offence, if the arrest be actually made, it must be discharged by application to the courts of law.

It is understood that Alexander McLeod is holden as well as civil as on criminal process for acts alleged to have been done by him in the attack on the "Caroline," and his defence or ground of acquittal must be the same in both cases. And this strongly illustrates as the undersigned conceives, the propriety of the foregoing observations; since it is quite clear that the Executive Government cannot interfere to arrest a civil suit between private parties in any stage of its progress but that such suit must go on to its regular judicial termination. It, therefore, any course different from such as have been now mentioned was in contemplation of Her Majesty's Government, something would seem to have been expected from the Government of the United States as little conformable to the laws and usages of the English Government as to those of the United States, and to which this Government cannot accede.

The Government of the United States, therefore, acting upon the presumption which it already adopted that nothing extraordinary or unusual was expected or requested of it decided, on the reception of Mr. Fox's note, to take such measures as the occasion and its own duty appeared to require.

In his note to Mr. Fox of the 26th of December last Mr Forsyth, the Secretary of State of the United States, observes, that 'if the destruction of the 'Caroline' was a public act of persons in her Majesty's service, obeying the order of their superior authorities, this fact has not been before communicated to the Government of the United States by a person authorized to make the admission; and it will be for the court which has taken cognizance of the offence with which Mr. McLeod is charged to decide upon its validity when legally established before it;" and adds, 'The President deems this to be a proper occasion to remind the Government of Her Britanic Majesty, that the case of the 'Caroline' has been long since brought to the attention of her Majesty's principal Secretary of State for Foreign Affairs; who, up to this day has not communicated his decision thereupon. It is hoped that the Government of Her Majesty will perceive the importance of no longer leaving the Government of the United States uninformed of its views and intentions upon a subject which has naturally produced much exasperation, and which has led to such grave consequences."

The communication of the fact that the destruction of the "Caroline" was an act of public force by the British authorities, being formally communicated to the Government of the United States by Mr. Fox's note, the case assumes a decided aspect.

The Government of the United States entertains no doubt, that after this avowal of the transaction as a public transaction, authorized and undertaken by the British authorities, individuals concerned in it ought not, by the principles of public law and the general usage of civilized States, to be holden personally responsible in the ordinary tribunals of law for their participation in it. And the President presumes that it can hardly be necessary to say that the American People, not distrustful of their ability to redress public wrongs by public means, cannot desire the punishment of individuals when the act complained of is declared to have been an act of the Government itself.

Soon after the date of Mr. Fox's note, an instruction was given to the Attorney General of the United States from this Department by direction of the President, which fully sets forth the opinions of this Government on the subject of Mr. McLeod's imprisonment, a copy of which instruction the undersigned has the honor herewith to enclose

The indictment against McLeod is pending in a State court; but his rights, whatever they may be, are no less safe, it is to be presumed, than if he were holden to answer in one of the courts of this Government.

He demands immunity from personal responsibility by virtue of the law of nations; and that law, in civilized States, is to be respected in all courts None is either so high or so low as to escape from its authority in cases to which its rules and principles apply.

This Department has been regularly informed, by his excellency the Governor of the State of New York, that the Chief Justice of that State was assigned to preside at the hearing and trial of McLeod's case, but that owing to some error or mistake in the process of summoning the jury, the hearing was necessarily deferred.

The President regrets this occurrence, as he has a desire for a speedy disposition of the subject. The counsel for McLeod have requested authentic evidence of the avowal by the British Government of the attack on, and destruction of, the "Caroline," as acts done under its authority, and such evidence will be furnished to them by this Department.

It is understood that the indictment has been removed into the Supreme Court of the State by the proper proceeding for that purpose and that it is now competent for McLeod, by the ordinary process of *habeas corpus*, to bring his case for hearing before that tribunal.

The undersigned hardly needs to assure Mr. Fox that a tribunal so eminently distinguished for ability and learning as the Supreme Court of the State of New York may be safely relied upon for the just and impartial administration of the law in this as well as in other cases, and the undersigned repeats the expression of the desire of this Government that no delay may be suffered to take place in these proceedings which can be avoided.—Of this desire, Mr. Fox will see evidence in the instruction above referred to.

The undersigned has now to signify to Mr. Fox that the Government of the United States has not changed the opinion which it has heretofore expressed to Her Majesty's Government of the character of the act of destroying the "Caroline."

It does not think that the transaction can be justified by any reasonable application or construction of the right of self-defence, under the laws of nations. It is admitted that a just right of self defence attaches always to nations, as well as to individuals, and is equally necessary for the preservation of both But the extent of this right is a question to be judged of by the circumstances of each particular case; and when its alleged exercise has led to the commission of hostile acts within the territory of a Power at peace, nothing less than a clear and absolute necessity can afford ground of justification. Not having, up to this time, been made acquainted with the views and reasons, at length, which have led her Majesty's Government to think the destruction of the 'Caroline' justifiable as an act of self-defence, the undersigned, earnestly renewing the remonstrance of this Government against the transaction, abstains, for the present, from any extended discussion of the question. But it is deemed proper, nevertheless, not to omit to take some notice of the general grounds of justification stated by her Majesty's Government in their instruction to Mr. Fox.

Her Majesty's Government have instructed Mr Fox to say that they are of opinion that the transaction which terminated in the destruction of the Caroline was a justifiable employment of force, for the purpose of defending the British territory from the unprovoked attack of a band of British rebels and American pirates, who, having been 'permitted' to arm and organize themselves within the territory of the United States, had actually invaded a portion of the territory of Her Majesty

The President cannot suppose that Her Majesty's Government, by the use of these terms meant to be understood as intimating that those acts violating the laws of the United States, and disturbing the peace of the British Territories, were done under any degree of countenance from this Government, or were regarded by it with indifference; or that, under the circumstances of the case, they could have been prevented by the ordinary course of proceeding. Although he regrets that, by using the term 'permitted,' a possible inference of that kind might be raised, yet such an inference, the President is willing to believe, would be quite unjust to the intentions of the British Government.

That on a line of frontier such as separates the United States from *Her* Britannic Majesty's North American Provinces—a line long enough to divide the whole of Europe into Halves—irregularities violences and conflicts should sometimes occur, equally against the will of both Governments, is certainly easily to be supposed. This may be more possible, perhaps, in regard to the United States without any reproach to their Government, since their institutions entirely discourage the keeping up of large standing armies in time of peace and their situation happily exempts them from the necessity of maintaining such expensive and dangerous establishments. All that can be expected from either Governments in these cases is good faith, a sincere desire to preserve peace and do justice the use of all proper means of prevention, and that, if offences cannot nevertheless, be always prevented, the offenders shall still be justly punished In all these respects, this Government acknowledges no delinquency in the performance of its duties.

Her Majesty's Government are pleased, also, to speak of those American citizens who took part with persons in Canada, engaged in an insurrection against the British Government, as 'American pirates' The undersigned does not admit the propriety or justice of this designation. If citizens of the United States fitted out, or were engaged in fitting out a military expedition from the United States intended to act against the British Government in Canada, they were clearly violating the laws of their country and exposing themselves to the just consequences which might be inflicted on them if taken within the British dominions. But, notwithstanding this, they were, certainly, not pirates nor does the undersigned think that it can advance the purpose of fair and friendly discussion, or hasten the accommodation of national difficulties, so to denominate them. Their offence, whatever, it was had no analogy of cases of piracy. Supposing all that is alleged against them to be true, they were taking a part what they regarded as a civil war, and they were taking a part on the side of rebels. Surely, England herself has not regarded persons thus engaged as deserving the appellation which *Her* Majesty's Government bestows on these citizens of the United States.

It is quite notorious that, for the greatest part of the last two centuries, subjects of the British Crown have been permitted to engage in foreign wars, both national and civil and in the latter, in every stage of their progress; and yet it has not been imagined that England has at any time allowed her subjects to turn pirates. Indeed, in our times not only have individual subjects of that Crown gone abroad to engage in civil wars, but we have seen whole regiments openly recruited, embroidered, armed, and disciplined in England with the avowed purpose of aiding a rebellion against a nation which England was at peace; although it is true that, subsequently an act of Parliament was passed to prevent transactions so nearly approaching to public war; without license from the Crown.

It may be said that there is a difference between the case of a civil war, arising from a disputed succession, or a protracted revolt of a colony against the mother country, and the cause of a fresh outbreak, at the commencement of a rebellion. The undersigned does not deny that such distinction may, for certain purposes, be deemed well founded. He admits that a Government, called upon to consider its own rights, interests, and duties; when civil wars break out in other countries, may decide on all the circumstances of the particular case upon its own existing stipulations, on probable results, on what its own security requires, and on many other considerations. It may be already bound to assist one party, or it may become bound, if it so chooses, to assist the other, and to meet the consequences of such assistance.

But whether the revolt be recent or long continued, they who join those concerned in it, whatever may be their offence against their own country, or however they be treated, if taken with arms in their hands, in the territory of the Government against which the standard of revolt is raised, cannot be denominated pirates, without departing from all ordinary use of language in the definition of offences. A cause which has so foul an origin as piracy cannot, in its progress or by its success, obtain a claim to any degree of respectability, or tolerance, among nations; and civil wars, therefore, are not understood to have such a commencement.

It is well known to Mr. Fox that authorities of the highest eminence in England living and dead, have maintained that the general law of nations does not forbid the citizens of one Government from taking part in the civil commotions of another. There is some reason, indeed, to think that such may be the opinion of Her Majesty's Government at the present moment.

The undersigned has made these remarks, from the conviction that it is important to regard established distinctions, and to view the acts and offences of individuals in the exactly proper light But it is not to be inferred that there is, on the part of this Government, any purpose of extenuating, in the slightest degree, the cries of those persons, citizens of the United States who have joined in military expeditions against the British Government in Canada. On the contrary, the President directs the undersigned to say that it is his fixed resolution that all such disturbers of the national peace and violaters of the laws of their country shall be brought to exemplary punishment. Nor will the fact that they are instigated and led on to these excesses by British subjects, refugees from the Provinces, be deemed any excuse or palliation; although it is well worthy of being remembered that the prime movers of these disturbances on the borders are subjects of the Queen, who come within the territory of the United States, seeking to enlist the sympathies of their citizens, by all the motives which they are able to address to them, on account of grievances real or imaginary.—There is no reason to believe that the design of any hostile movement from the United States against Canada has commenced with citizens of the United States. The true origin of such purposes and such enterprises is on the other side of the line But the President's resolution to prevent these transgressions of the laws is not, on that account the less strong.—It is taken not only in conformity to his duty under the provisions of existing laws, but in full consonance with the established principles and practices of this Government.

The Government of the United States has not, from the first, fallen into the doubts, elsewhere entertained, of the true extent of the duties of neutrality. It has held that, however it may have been in less enlightened ages, the just interpretation of the modern law of nations is, that neutral states are bound to be strictly neutral; and that it is a manifest and gross impropriety for individuals to engage in *the civil conflicts of other states* and thus to be at war while their Government is at peace War and peace are high national relations which can properly be established or changed only by nations themselves

The United States have thought, also that the salutary doctrine of non-intervention by one nation with the affairs of others is liable to be essentially impaired if, while Government refrains from interference, interference is still allowed to its subjects, individually or in masses. It may happen indeed, that persons choose to leave their country, emigrate to other regions and settle themselves on uncultivated lands, in territories belonging to other States This cannot be prevented by Governments which allow the emigration of their subjects and citizens; and such persons, having voluntarily abandoned their own country, have no longer claim to its protection nor is it longer responsible for their acts. Such cases therefore, if they occur, show no abandonment of the duty of neutrality.

The Government of the United States has not considered it as sufficient to confine the duties of neutrality and non-interference to the case of Governments whose territories lie adjacent to each other—The application of the principle may be more necessary in such cases, but the principle itself they regard as being the same, if those territories be divided by half the globe. The rule is founded in the impropriety and danger of allowing individuals to make war on their own authority, or, by mingling themselves in the belligerent operations of other nations, to run the hazard of counteracting the policy or embroiling the relations of their own Government. And the United States have been the first among civilized nations to enforce the observance of this just rule of neutrality and peace by special and adequate legal enactments. In the infancy of this Government, on the breaking out of the European wars which had their origin in the French revolution, Congress passed laws with severe penalties, for preventing the citizens of the United States from taking part in those hostilities.

By the laws, it prescribed to these citizens of the United States what it understood to be their duty as neutrals, by the law of nations, and the duty also, which they owed to the interest and honor of their own country.

At a subsequent period, when the American colonies of an European power took up arms against their Sovereign, Congress, not diverted from the established system of the government by any temporary considerations, not swerved from its sense of justice and of duty by any sympathies which it might naturally feel for one of the parties, did not hesitate, also, to pass acts applicable to the case of colonial insurrection and civil war. And these provisions of the law have been continued, revised, amended, and are in full force at the present moment. Nor have they been a dead letter, as it is well known that exemplary punishments have been inflicted on those who have transgressed them. It is known, indeed, that heavy penalties have fallen on individuals, citizens of the United States, engaged in this very disturbance in Canada, with which the destruction of the Caroline was connected. And it is in Mr. Fox's knowledge, also, that the act of Congress of March 10th, 1838, was passed for the precise purpose of more effectually restraining military enterprises from the United States into the British provinces, by authorising the use of the most sure and decisive preventive means. The undersigned may add, that it stands on the admission of very high British authority, that during the recent Canadian troubles, although bodies of adventurers appeared on the border, making it necessary for the people of Canada to keep themselves in a state prepared for self defence, yet that these adventurers were acting by no means in accordance with the feeling of the great mass of the American people, or of the government of the United States,

This government, therefore, not only holds itself above reproach in every thing respecting the preservation of neutrality, the observance of the principle of non intervention, and the strictest conformity, in these respects, to the rules of international law, but it doubts not that the world will do it the justice to acknowledge that it has set an example not unfit to be followed by others, and that, by its steady legislation on this most important subject, it has done something to promote peace and good neighborhood among nations, and to advance the civilization of mankind.

The undersigned trusts that, when Her Britannic Majesty's Government shall present the grounds, at length, on which they justify the local authorities of Canada in attacking and destroying the "Caroline, they will consider that the laws of the United States are such as the undersigned has now represented them, and that the Government of the United States has always manifested a sincere disposition to see those laws effectually and impartially administered. If there have been cases in which individuals, justly obnoxious to punishment, have escaped, this is no more than happens in regard to other laws.

Under these circumstances, and under those immediately connected with the transaction itself, it will be for Her Majesty's Government to show upon what state of facts and what rules of national law the destruction of the "Caroline," is to be defended. It will be for that Government to show a necessity of self defence, instant, overwhelming, leaving no choice of means and no moment for deliberation. It will be for it to show, also, that the local authorities of Canada, even supposing the necessity of the moment authorized them to enter the territories of the United States at all, did nothing unreasonable or excessive; since the act, justified by the necessity of self defence, must be limited by that necessity, and kept clearly within it. It must be shown that admonition or remonstrance to the persons on board the "Caroline" was impracticable, or would have been unavailing; it must be shown that day light could not be waited for; that there could be no attempt a discrimination between the innocent and the guilty; that it would not have been enough to seize and detain the vessel; but there was a necessity, present and inevitable, for attacking her, in the darkness of the night, while moored to the shore, and while unarmed men were asleep on board, killing some and wounding others, and then drawing her into the current, above the cataract, setting her on fire, and careless to know whether there might not be in her the innocent with the guilty, or the living with the dead, committing her to a fate which fills the imagination with horror. A necessity for all this the Government of the United States cannot believe to have existed.

All will see that if such things be allowed to occur they might lead to bloody and exasperated war; and when an individual comes into the United States from Canada, and to the very place on which this drama was performed, and there chooses to make public and vain-glorious boast of the part he acted in it, it is hardly wonderful that great excitement should be created, and some degree of commotion arise.

This republic does not wish to disturb the tranquility of the world. Its object is peace, its policy peace. It seeks no aggrandizement by foreign conquest, because it knows that no foreign acquisition could augment its power and importance so rapidly as they are already advancing by its own natural growth under the propitious circumstances of its situation. But it cannot admit that its Government has not both the will & the power to preserve its own neutrality, and to enforce the observance of its own laws upon its own citizens—It is jealous of its rights, and among others, and most especially, of the right of the absolute immunity of its territory against aggression from abroad; and these rights it is the duty and the determination of this Government fully and at all times to maintain; while it will, at the same time, as scrupulously refrain from infringing on the rights of others

The President instructs the undersigned to say, in conclusion, that he confidently trusts that this and all other questions of difference between the two Governments will be treated by both in the full exercise of such a spirit of candor, justice, and mutual respect as shall give assurance of the long continuance of peace between the two countries.

The undersigned avails himself of this opportunity to assure Mr. Fox of his high consideration.

DANIEL WEBSTER.

Henry S. Fox, Esq &c. &c. &c.

From the Cleveland Herald.

WHEAT PROSPECTS.—The Lebanon Star states that in Warren county, Ohio, the fly, or the frost has destroyed many fields of wheat, so that the farmers have ploughed the ground for spring planting. The New Albany (Ia.) Gazette of the 25th inst. states that the wheat crop in that section of Indiana has been almost entirely destroyed by the fly, and that in many instances the fields have been ploughed up and planted in corn. In consequence of the strong probability of a small wheat crop the present season, flour has taken a sudden rise there from $3 75 to $4 50 per barrel.

This is the first crop croaking we have seen this season. A gentleman from Northern Indiana last week, informed us that the wheat crop in that section of the State bid very fair. An unusual quantity was growing and with propect of a great yield. A gentleman just from the wheat region of Ohio, speaks of the very promising appearance of the growing crop.

The St. Louis Republican states that the Governor of Illinois has become, *bona fide*, a Mormon. A considerable accession to the number of this sect has lately been received at Nauvoo from New York and England. With the colony from New York, there had been several young women decoyed off from parents and friends, with them, by means of promises the most extravagant, and descriptions of country more romantic than ever entered into Arabian tale. The fruits

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