

Twelfth Congress

Nov. 4, 1811-Mar. 3, 1813

First Administration of James Madison

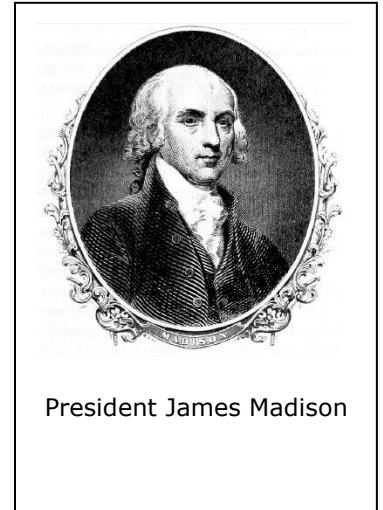
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Historical Background

The crisis of the War of 1812 was the dominant issue faced by the 12th Congress. President James Madison failed in his efforts to negotiate a settlement in 1811. As a result, the United States declared war on Great Britain in June 1812.

In Madison’s message to Congress delivered Nov. 5, 1811, he said a “definitive repeal” of France’s Berlin and Milan decrees was necessary. Those edicts “violated our neutral commerce,” thereby affecting U.S. trade with Britain. The Berlin Decree (issued Nov. 21, 1806 during the rule of Napoleon Bonaparte) forbade the import of British goods into European countries allied with or dependent upon France, while the Milan Decree (issued Dec. 17, 1807) authorized privateers to capture neutral ships sailing from any British port and resulted in the capture of U.S. merchant ships. Madison said he expected that by France repealing those edicts, Great Britain would repeal its orders that were obstructing “her commerce with the United States.” However, that was not the case. According to the President Great Britain denied France revoked the decrees, even after “fresh evidence of the repeal” was transmitted to British officials so the situation could receive “full consideration in the depending discussions.”

Ultimately, Madison concluded that neither diplomacy nor economic coercion would stop the violations of American neutrality rights by “the European belligerents” and the only course consistent with national honor was to wage war against Great Britain, “the chief offender.” In addition, Madison was under political pressure by “war hawks” in Congress to support a war with Britain or they would block his re-election. On June 1, 1812, Madison sent a message to Congress asking for a declaration of war; the reasons he cited included the impressments of United States seamen into Britain’s naval service; British disregard for normal trading relationships between sovereign powers; and evidence that Britain was forming alliances



House	Senate
Majority Party: Jeffersonian Republicans (107 seats)	Majority Party: Jeffersonian Republicans (30 seats)
Minority Party: Federalists (36 seats)	Minority Party: Federalists (6 seats)
Other Parties: None	Other Parties: None
Speaker of the House: Henry Clay	President Pro Tempore: William Harris Crawford

with Native American tribes to get the tribes to attack the United States. Congress declared war on Great Britain on June 18, 1812.

With conflict looming, France and Great Britain each held a prominent place in U.S. foreign affairs during the 12th Congress, but they were not the only countries with which the United States was engaged. In Madison's message to Congress delivered on Nov. 4, 1812, he reported that relations with Denmark were "amicable," and relations with Russia and Sweden were not expected to "be affected by the rupture" with Great Britain. However, relations with three of the four Barbary Powers of North Africa (Morocco, Tunis and Tripoli) had become strained once again; with Algiers, also a Barbary state, Madison said relations therewith remained on an "ordinary footing." The strain in relations with the three other Barbary states began when the U.S. consul stationed there was "suddenly, and without cause," banished, according to Madison, who added that it had not been determined if the ousting of the U.S. consul was an act of "capricious despotism" or "the first act of predetermined hostility."

When it came to the Native American tribes that were still residing within the States, those "not under foreign instigations, remain at peace," Madison said.

Sources:

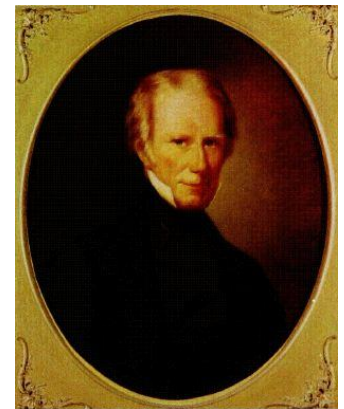
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Madison, James. [*Message of President Madison Communicated on Tuesday, November 5, 1811*](#). Nov. 5, 1811. 12th Congress, 1st Session, For.rel.32. ProQuest Congressional, ASP01 For.rel.32

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President Pro Tempore
William Harris Crawford



Speaker of the House
Henry Clay

War or Peace?

War of 1812

The U.S. Government expected war with Great Britain would occur sometime during 1811, as evidenced by President Madison's message to Congress that year in which he charged British officials with implementing "measures which, under existing circumstances, have the character, as well as the effect of war on our lawful commerce." While Madison directly avoided asking Congress to declare war at that time, he did ask Congress to prepare for such an event, saying, "With this evidence of hostile inflexibility in trampling on rights which no independent nation can relinquish, Congress will feel the duty of putting the United States unto an armor, and an attitude, demanded by the crisis, and corresponding with the national spirit and expectations."

Because Madison expected there would be a war with Great Britain, in 1811 he urged Congress to fill the ranks of the armed forces, in part, by "prolonging the enlistments of the regular troops," as well as establishing of

an “auxiliary force.” In addition, he said more cannons and small arms were needed, but that the existing stock of ammunition was “adequate to emergencies,” and Congress did not need to authorize increasing those stocks.

Conflict finally arrived on Nov. 7th, 1811 at the Battle of Tippecanoe between American forces lead by future president William Harrison and Shawnee Native Americans opposed to U.S. expansionism and back by Great Britain. Although Congress had yet to officially declare war, public opinion blamed the violence on British interference with American affairs and their alliances with Native tribes.

While American forces were victorious at Tippecanoe once war with Great Britain began six months later the United States initially experienced a series of defeats, including the loss of Detroit to the British whose alliance with Native American tribes helped to make the British victory possible. Despite the retreat from Detroit, U.S. forces continued operations along the Canadian border, and while U.S. “expectations of gaining the command of the (Great) Lakes by the invasion of Canada from Detroit having been disappointed, measures were instantly taken to provide on them a naval force superior to that of the enemy.” Those operations included an U.S. attack on a British/Canadian post in Queenston, Ontario resulting in a U.S. victory. However, U.S. forces had to withdraw from the town because of a lack of reinforcements.

Initially, a general lack of manpower to fight the war was a major problem for the U.S. military. To alleviate the problem, Madison urged Congress to increase the troops’ pay as a way to attract recruits. In addition, the lack of manpower needed to defend parts of the Atlantic coast became a political issue when the Governors of Connecticut and Massachusetts declined to provide units of the militias under their control for the defense of the coast. The Governors’ refusal to provide troops “was founded on a novel and unfortunate exposition of the provisions of the Constitution relating to the militia,” said Madison, who added that if other States declined to provide troops when needed, the solution might require the creation of a “large and permanent military establishments, which are forbidden by the principles of our free Government.” He also urged Congress to revise the militia laws with the goal of “better adapting them to emergencies of the war.”

While the Government’s main focus was on fighting the war, Madison was also engaged in getting the British to negotiate peace, and he conveyed to the British Government the U.S.’s terms for the end of hostilities. Those terms included the repeal of Britain’s orders for blockades that affect United States shipping, the release of American seamen impressed into service aboard British ships, and an end to further impressments.

Sources:

Madison, James. [*Message of President Madison Communicated on Tuesday, November 5, 1811.*](#) Nov. 5, 1811. 12th Congress, 1st Session, For.rel.32. ProQuest Congressional, ASP01 For.rel.32

Economic Trends and Conditions

During 1811, as relations between the United States and Great Britain deteriorated and moved closer to war, some U.S. citizens continued to trade with Britain, which prompted President Madison to urge Congress to make it illegal for U.S. citizens to “accept license from foreign governments” allowing them to engage in commerce that is denied to other citizens. Madison also wanted such a prohibition to include the importation of goods originating in Britain that were then transported to neutral countries and loaded onto ships that could dock at U.S. ports.

In addition, the “discriminations” imposed on U.S. shipping by foreign governments had an effect on U.S. commerce that “cannot be mistaken,” said Madison, who, prior to the war, also expressed concerns for protecting American manufacturing while warning against a dependency on “external supplies.”

By 1812, however, Madison concluded that the prohibitions enacted to prevent U.S. citizens from accepting special trade licenses from foreign governments were not enough of a “sufficient guard” to prevent such commerce from occurring. He therefore urged Congress to add prison sentences to the prohibitions, specifically for “cases of corrupt and perfidious intercourse with the enemy not amounting to treason.”

Despite attempts by Great Britain to interrupt U.S. shipping, the U.S. Navy was mostly successful at protecting merchant ships. In addition, while Madison sought to halt the importation of goods from British ports, there were “a considerable number of American vessels” in England prior to the outbreak of hostilities, and when those ships arrived at U.S. ports they were “laden with British manufactures.” Because of the uniqueness of the situation, the normal policy of seizing the goods had been delayed so Congress could enact “provisions as they may think proper,” Madison said. However, he added that by allowing the ships to deliver their cargos, the Government could collect needed revenue on those goods. The “duties on the late unexpected importation of British manufactures will render the revenue of the ensuing year more productive than could have been anticipated,” he said.

In his fiscal report for 1811, Madison said revenues decreased because of the situation with Great Britain, and he urged Congress to act to ensure that enough funds were collected “to defray the ordinary expenses of Government, and to pay the interest on the public debt.” The United States’ revenues for 1811—which were reported up to Sept. 30—surpassed \$13.5 million, and \$5 million in public funds was used to pay a loan. During the fiscal report for 1812, Madison said the revenues for that year—which also were only reported up to Sept. 30—exceeded \$16.5 million; it was enough to pay the Government’s debts including \$3 million to pay the principle of a loan.

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Landmark U.S. Supreme Court Decisions

The Schooner Exchange v. M'Faddon, Held that the Federal courts had no jurisdiction over a claim against a friendly foreign military vessel visiting an American port. 11 U.S. 116 (1812)

United States v. Hudson and Goodwin, held that Congress must first enact a law criminalizing an activity, attach a penalty, and give the Federal Courts jurisdiction over the offense in order for the court to render a conviction. 11 U.S. 32 (1812)

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1811 Events

- **Jan. 2:** U.S. Senator Timothy Pickering is the first Senator to be censured for revealing the contents of a confidential letter from French Foreign Minister Charles de Talleyr sent to President Thomas Jefferson
- **Jan. 8:** Charles Deslondes leads a slave revolt in the Louisiana territory that results in the deaths of two white men, and the execution of 95 rebelling slaves
- **Feb. 11:** [President Madison prohibits trade with Britain for the third time in four years](#)
- **Feb. 20:** Austria declares bankruptcy
- **Apr. 12:** The first U.S. colonists on the Pacific coast arrive at Cape Disappointment, Washington
- **May 14:** Paraguay gains independence from Spain
- **July 5:** Venezuela gains independence from Spain
- **July 11:** Italian scientist Amedeo Avogadro publishes his hypothesis about the molecular content of gases
- **Sept. 30:** The British expeditionary army conquers the Dutch Indies

- **Oct. 29:** The *New Orleans*, the first Ohio River steamboat, departs from Pittsburgh for New Orleans
- **Nov. 7:** *War of 1812* - [General William Henry Harrison defeats the confederation of Native Americans lead by Tecumseh, a leader of the Shawnees, at the Battle of Tippecanoe](#)

1812 Events

- **Feb. 11:** Massachusetts Governor Elbridge Gerry signs a bill that allows the boundaries of voting districts to be reset in order to gain an advantage for a political party — a practice referred to as “gerrymander”
- **Mar. 3:** [The United States passes its first foreign aid bill—An Act for the relief of the Citizens of Venezuela—approving \\$50,000 to provide aid to Venezuela earthquake victims](#)
- **Mar. 15:** Fort Ross, the first Russian settlement in California, is established near the Russian River
- **Apr. 30:** [Louisiana is admitted to the Union as the 18th state](#)
- **May 11:** British Prime Minister Spencer Perceval is assassinated by John Bellingham in the lobby of the House of Commons, London
- **June 18:** *War of 1812* - [The United States officially declares war against Britain beginning the War of 1812](#)
- **June 24:** *Napoleonic Wars* - French Forces led by Napoleon Bonaparte cross the Neman River thereby beginning the invasion of Russia
- **July 22:** *Napoleonic Wars* - British Forces led by the Duke of Wellington, Field Marshal Arthur Wellesley, defeats the French at the Battle of Salamanca in Spain
- **July 12:** *War of 1812* - U.S. forces led by General William Hull invade Canada
- **Aug. 5:** *War of 1812* - Native forces led by the Shawnee leader Tecumseh ambush U.S. forces led by Thomas Van Horne at Brownstone Creek, causing them to flee
- **Aug. 16:** *War of 1812* - Fort Detroit is captured by British forces with the help of Shawnee forces
- **Sep. 3:** The British company Donkin, Hall & Gamble opens the world’s first cannery in London and produces canned food for the Royal Navy
- **Sep. 14:** *Napoleonic Wars* - Napoleon Bonaparte’s forces occupy Moscow. Shortly after, fires destroy 70 percent of the city
- **Oct. 18:** *Napoleonic Wars* - The French withdraw from Moscow, and on Nov. 29 begin a general retreat from Russia. This marks a turning point in the Napoleonic Wars

Sources:

["An Act for the relief of the Citizens of Venezuela."](#) (2 Stat. 730, Chap. 79; May 8, 1812). ProQuest Congressional

Calhoun, John C. [Great Britain: War of 1812](#). Select Committee on Foreign Affairs. House, Nov. 3, 1812. 12th Congress, 1st Session, For.rel.247. ProQuest Congressional, ASP03 For.rel.247

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Major Acts

Declaration of War Against Great Britain and Ireland. Declared that war existed between the United States and Great Britain, Ireland and their territories. Authorized the President to use the land and naval forces of the United States to carry out the war. Approved June 18, 1812. ([2 Stat. 755, Chap. 102](#))

Act to Enlarge the Limits of the State of Louisiana. Annexed the so-called Florida Parishes that are part of West Florida lying between the Mississippi and Pearl Rivers south of the 31st parallel to the new State of Louisiana. Approved Apr. 14, 1812. ([2 Stat. 708, Chap. 57](#))

Venezuela Relief Act. Authorized \$50,000 to purchase provisions to aid Venezuelan earthquake victims. Approved May 8, 1812. ([2 Stat. 730](#))

Act to Enlarge the Boundaries of the Mississippi Territory. Annexed the eastern part of West Florida, from the Pearl River to the Perdido, along the Gulf Coast, to the Territory of Mississippi. Approved May 14, 1812. ([2 Stat. 734, Chap. 84](#))

Treasury Notes Act of 1812. Authorized the issuance of treasury notes (bonds) to pay for the War of 1812. Approved June 30, 1812. ([2 Stat. 766, Chap. 111](#))

Sources:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#), Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

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