

WILMINGTON GAZETTE.

VOLUME X.

PUBLISHED (WEEKLY) BY ALLMAND HALL.—TUESDAY, JULY 15, 1806.

[No. 497.]

For the WILMINGTON GAZETTE.

The following Communication was unavoidably omitted in our last.

Mr. HALL;

Sir, the grateful sensations of a heart impressed with the worth of liberty, excited yesterday by observing that joy and triumph were the predominant features of affairs in our town, is my apology for submitting to your perusal the following observations, which you are welcome to treat as you please.

PHILAGATHOS.

July 5, 1806.

NATIONAL happiness, purchased at so dear a price, as the blood of thousands of our most worthy brethren, diffusing itself thro' every part of the United States, and so plentifully enjoyed by us in particular; calls aloud for thanksgiving to the GOD of Armies, as well as gratitude to the happy instruments of such extended beneficence; and he is not an American, whose callous soul is unmoved by the voice. Can a wise and good Government, founded upon eternal truth, and managed by the most judicious hands; with every advantage of soil and climate, render a Nation happy? I ask you Americans, who alone can give an answer; because you are the only people under the canopy of Heaven, who have made the experiment. That which philosophers and politicians of different countries talk of; that which all the nations of the earth seek after, is here, is here among the sons of liberty in rich abundance; helpless innocence is here protected, encroaching ambition checked, property secured, perfect equality established, and consequently universal order and harmony prevail, and peace and happiness diffuse their precious streams throughout the land. Our country now in its infancy takes the lead in the road to national greatness, and excites the fear of foreign tyranny, lest some friend to humanity encouraged by the glorious achievements of our ancestors, should step forward in the cause of liberty, and by one vigorous and well directed effort, beat off those accursed fetters of slavery, which have long kept more than half the world in misery. This day there are thousands of miserable wretches, dragged from their earthly all, away to the fields of slaughter, there to suffer all the horrors of a bloody and tedious war, for no other purpose, than to gratify the aspiring ambition of insatiable and haughty tyrants; while in the region of peace, we enjoy all the blessings included in that dear name Liberty; meet together in one harmonious band of brotherly love, and bask in the sun beams of unexampled prosperity. Such choice blessings can be duly estimated only by considering the price with which they were purchased. We look a little way back, and how different the aspect of our country's affairs! Our people groan under British oppression!—They remonstrate; & are answered with insult & derision—they bear the indignity with perfect patience, & hope for redress, but sustaining injury after injury, hope vanishes! They again remonstrate with greater earnestness and concern; and are loaded with heavier taxes by the angry overbearing Lords, in order to make them quiet and submissive. Wearied with these unreasonable, oppressive measures; they are resolved to make the desperate attempt, to withhold their property acquired by industry from the cruel hand of fraud and rashness; this kindles indignation and wrath in the breasts of the overgrown tyrants, who lift up their voice, and swear by heaven and earth, that Americans shall feel how dangerous a thing it is to resist kingly power. And now the storm begins; the sound of the trumpet is heard in our land; the ravages of war threaten our infant country, with entire desolation, or abject slavery; see the eternal enemies of liberty, well equipped with all the weapons of death, ranging through the states like blood thirsty hell-hounds; pulling down houses, burning cities, carrying off property and murdering the defenceless; no opposition checks their fury; rivers of blood cannot satiate their thirst; destitute of the feelings of humanity, and lost to a sense of honor; they call for the dastardly, insidious barbarians, to exercise all the cruel forms of torture on the innocent, and increase the calamities of a country already drenched with blood—with suns of money, they obtain their request, and now the savage shouts and whoops of Indians mingle their horrors with the screams and groans of butchered families, and circulate their tremendous echoes through the wilderness of rocks and mountains; while universal destruction appears unavoidable. And shall these ravages go on, unchecked! shall America incur the guilt, and everlasting shame, of tamely exchanging her liberty and her all, for British slavery and massacre? are there none of her sons who enjoy her blessings, that will espouse her cause, and assist her in her distress? shall she be conquered, trodden under foot and bound in chains, to gratify the pride and greedy avarice of a haughty Monarch? GOD forbid! better we had never been born, than part from our Liberty! I see American patriots, the choice of the people, now assembled in deep, deliberate consultation; I see a number of brave

men, without the compulsion of authority, without the necessary provision for an expedition, voluntarily associated in company, to march over trackless mountains from one part of the continent to the other, eager to brave all the terrors of death, before the thundering cannon in the field of action; and may I not hope that one effectual effort will be made by these sons of freedom to free the country from deprecation? Be it ever remembered; tell it to your children, and let your children tell it to future generations; that those sage Patriots, the representatives of the United States; without allies, without arms and ammunition, with no sufficient stores to support an army, or money to purchase, on that auspicious day the Fourth of July, 1776, Declared themselves FREE AND INDEPENDENT. No sooner was this Declaration made, than it echoed throughout every part of the union, and roused even the heart of the coward; the people pledged their property, their honor and their lives to support; with united voice they exclaimed Liberty or Death! The drums beat to arms our brave countrymen, fired with the love of liberty, now lay down their implements of husbandry, take up the weapons of war (such as could be procured) leave to the care of providence, their wives and children, or aged and feeble parents, and come forth to form an army sufficiently strong to repel the force, and impede the march of the enemy. Various were the conflicts, and great the sufferings of these patrons of human liberty, after repeated struggles under circumstances, the most discouraging that ever any but Americans fought, it often appeared, that both they, and their country must inevitably fall a sacrifice to British and savage fury. What anxious solicitude! What deep concern, did the hearts of the brave and virtuous feel, when they saw many of their most valiant brethren butchered, their best officers slain, their armies routed and lying before the enemy, their funds exhausted, their men discouraged, and whole districts submitting to the cruel mercies of British protection! What nation is there on earth, that would dare continue the unequal war under these melancholy circumstances? Is our country conquered! must we and our children be reduced to the wretched condition of eternal slavery? Painful thought!—Oh! my dear Country, and all that is included in that important word, must I give thee up as lost forever? Is there no spark of martial fire remaining in the breast of Americans, which seas of blood cannot quench?—Hark! my heart grows warm within me; methinks I hear the all prevailing voice of WASINGTON exclaim, America shall triumph. See him at the head of his brave troops, reduced by want, and worn with fatigue, resolutely marching to victory over the bodies of the slain, treading down and bearing all before him! Glorious conquest!—The weak have trodden down the strong; the brave have conquered the mighty! Now the hopes of the languishing revive, the expectations of glory are hailed, tyranny is wounded and America is FREE!—Valiant Soldiers, sheathe your swords; return with joyful speed to your quiet abodes; your friends whom you lately left in tears expecting to see you no more, will meet you with songs of triumph, and celebrate your heroic exploits on the strangled instrument; blessings procured them at the risk of your lives will render you a thousand times more dear to their hearts! The storm is blown over; the sound of war is heard no more! Peace and concord are restored, and now the Soldier no longer appears.—Commerce and agriculture, which had long lain in a state of torpor, are again set in motion by the hand of industry and by the blessing of providence fill our store houses with plenty, and our hearts with gladness; seminaries of learning are every where erected; the sun of literature appears, and sheds its benign beams on our shores. Hail ye sons of Columbia! ye vie with the most enlightened nations of the earth, and exhibit a scene of national happiness, which attracts the gaze of the admiring world. Did bountiful Heaven, when scattering her blessings through every part of the globe, reserve her choicest favours for us? for us who but yesterday, were not people! Be grateful then ye highly favoured mortals, and acknowledge the divine agency in all your enjoyments.

While we set under our own vine & fig-tree and eat the delicious fruit so plentifully yielded by the luxuriant tree of liberty; let us above all things maintain our moral character unpolluted, cherish harmony among ourselves, and hand down to posterity an example of rectitude, with all the blessings of a good Government, to be enjoyed by future generations, when we are removed to another region. Present prosperity is no security against future adversity; the scene may change, and we may have occasion to take up arms once more in defence of our country; insults have already been given, and while ambitious nations all raging, and tumultuously dashing in angry conflicts like the troubled ocean, happy will it be for us, if, without coercive measures, we can preserve our own neutrality upon honorable terms; let us not amuse ourselves with delusive dreams of safety, and neglect the ne-

cessary means of defence, if we are ready to march at the call of our country, foreign powers will be cautious not to trample on rights, we hold sacred, and which we are determined to defend with our blood.

It is the voice of sound reason that the source of power lies in the people, and authority, delegated to an individual, has for its object the happiness of the community, from which it was derived, and supposes an obligation to exercise it solely for that end; we have only to observe, the same good economy as heretofore in the choice of our officers, and they will adopt the best methods, to guard every avenue, leading to the subversion of our privileges in the smallest degree; should they find that reason and argument fail, and recourse must be had to other means; let it be known to all the world, that we are able, and stand ready to enforce their demands, and repel the foe, who dares invade our rights. In the mean time, let every heart glow with gratitude, and every tongue acknowledge the good hand of that GOD, who sways the sceptre of the universe; who fought for our fathers, conquered our enemies, freed our country, and laid up blessings innumerable for the present generation.

From a Paris Paper.

TO THE BRITISH NATION.

Arrogant as your government has often shewn itself in moments of success—proud and domineering, as is the character of your civil and military officers, towards unarmed and defenceless nations, I have too much philanthropy to attribute to the mass of any nation the vices of its administration. I will still delight to believe, that there exists in the British nation a fund of justice and humanity, ready to avenge the injured, and threatened rights of peaceful and impartial neutrality. In making an appeal to your sense of equity, I am still aware, that I enter into an unpromising career. The application is made to one of the coldest, against one of the most influential principles of human action. National glory, cupidity, patriotism and self love will be all invoked to combat your reason. Your sense of justice, still supported by truth, and animated by a strong sense of unmerited injury, I come boldly to the combat, and if there yet remain in British bosoms, more love of honor than of money, more regard to reputation than wealth—more respect for justice than passion for domination, I shall not make my appeal without effect.

During the whole course of the late and present wars, it is well known to all Europe, and to no part of it better than to yourselves, that the conduct of your cruisers, and of your Courts of Admiralty has been marked by an uninterrupted series of violations of neutral rights. So long as these infractions were restrained within such bounds, that upon authentic calculations, neutral nations thought it cheaper to submit to injustice, rather than incur the expences and risks of the progress necessary to redress, so long have they submitted to it as to an inevitable evil.—But increasing insolence, and accumulated injury have fully proved the wisdom of the ancient maxim, "*Quia principia*," and have compelled us to adopt the sentiment of an elegant writer of your own country, "that a nation who weighs its *parce* against its *rights*, will in the end be sure to lose both."

In the early part of the late war, America made a stand, and it was a feeble one, against your gigantic maritime pretensions, and 1200,000 pounds sterling paid by you to her citizens, while it is a recorded proof of the injustice of your seizures, had perhaps the double and unfortunate effect of lulling her into security, and of exposing her in a defenceless state to the storm which appears to be now ready to burst upon her head.

Within a few months past, your Cruisers and your obedient Tribunals have overleaped the feeble boundaries which a sense of justice had hitherto opposed to rapacity, and the puerile of Doctors Commons would lead a stranger to believe, that America, and not France, was the object of your vengeance. Aware of the just indignation of a brave and loyal people, your ministry are endeavouring to shelter themselves from the tempest, and, by rousing the avarice and the resentment of the nation, to throw the responsibility from their own shoulders upon those of the people. A pamphlet, we learn, has lately appeared, under ministerial sanction, attempting to justify their unprincipled and unexampled aggressions, and preparing the public mind for what they know will be the effect of their perseverance, an open war.

Will you lend a patient ear to a stranger, while he examines one or two of the principles advanced by your courts-tyling themselves Courts of Justice—and, in the second place, while he offers a brief reply to some of the ideas said to be advanced in the ministerial pamphlet in favor of a war with America!

Although from the nature of the case, there can be less precision and certainty in discussing questions upon the laws of nations than upon those of municipal authority,

founded upon decrees or statutes, yet the common consent of all the nations of Europe to adopt certain principles as laid down by certain able commentators on these laws, and the introduction of these writers, as authorities in the Courts of Admiralty, seem to have furnished a solid basis on which to rest our opinions on any questions which may arise between conflicting nations.

Great-Britain especially has no right to controvert the principles laid down by these writers; because she has uniformly received them as authorities in her Courts, and has always made them the basis of her claims on other nations, in her judicial and diplomatic relations. If, on the other hand, there existed no such commentators, nor any positive conventions between nations, still the force and obligation of the laws of nations, founded on the immutable principles of justice and morality, would be equally great; but in this latter case we could only have recourse to the principles of natural law suggested and deduced by impartial reason.—Let us examine the two great modern, novel doctrines advanced, and attempted to be enforced by Great-Britain, by either of these standards. And, first, as to her interdiction of the *Colonial trade either directly or indirectly*. Great-Britain contends that Neutrals in time of war shall not carry on a trade between the colonies of her enemy and the mother country, which was not lawful in time of peace, although the trade be bona fide on Neutral account—at neutral risk and for Neutral profit.

On what authority is this extensive and important principle founded? Is there a single dictum in Puffendorf—in Grotius—or Vattel which justifies it? Is it supported by any convention explicit or implied made between any nations of Europe? Have there been any usages in past wars, decisions of any Courts of Admiralty which countenance it?

To all these questions we can boldly reply, *None*. Not a sentiment like this can be found in any writer; nor has any nation but Great-Britain yet dared to offer such an affront to the rights of independent nations.

On the contrary, no principle can be more clearly settled than that Neutrals may freely carry on their commerce with belligerent nations, with the single, well defined exceptions, of not giving relief to an invested and blockaded city or fortress, and of not supplying the enemy with things *substantiating to war*, to which has been applied the appellation of *contraband*.

This privilege of neutrals is even carried so far, that neutral nations have the right to supply freely one of the belligerent nations with *implements of war*, provided its usual commerce in time of peace consisted in supplying such articles. Never did the question, whether the traffic was such a one as was allowed by the belligerent nation in time of peace, applied to any other than contraband articles, arise in any single instance, till the British, inspired by the same jealousy against the Dutch in 1756, as now actuates them against the Americans, chose to advance this monstrous doctrine.

And let me ask, what is it to Great-Britain, if France or Holland should see fit during a war to relax their municipal regulations, in favor of other nations? If these nations supply them with none of those articles which are denominated *contraband of war*, what pretext could Great-Britain have to complain of the indulgence? The enormous & preposterous principles set up by the British Courts, would go the length to say, that no nation at war with her, could change her municipal laws, could alter her colonial regulations in time of war. Let us examine this point a little nearer as it respects Great-Britain, and her own conduct, and see whether it comports with her sanctioned principles. It is a well known fact, that by the standing laws of Great-Britain, other nations have no right to supply the British colonies with provisions or to carry on any trade therewith. Particular permission is, however, granted in time of war, by proclamations from the Governors of these Islands, authorising the importation of provisions during the existence of the *scarcity only*. Did Great-Britain ever conceive, did any other nation ever contend, that the American vessels which carry on this commerce were a lawful prize to the enemies of Great-Britain? Miserable indeed would be the situation of the Caribbee Islands if such a construction had prevailed!—Yet it must be admitted that the cases are perfectly analogous. It is a trade which the Americans were not free to exercise in time of peace, and which Great-Britain allows only on account of her necessities in time of war.

To shew that this principle set up in one case only by the British Courts in the war of 1756, and afterwards wholly abandoned till the year 1794, is not one on the solidity of which the British Courts themselves place any great reliance, we will examine the history of its exercise and execution.

No one can doubt, that, with the British power and with the British temper to maintain all their legal maritime rights, they have extended their principles so far and as fast as the law of nations would warrant.

They set up this principle of the illegality