



AND

North-Carolina State Gazette.

Ours are the plans of fair & delightful Peace,
Unwar'd by party rage, to live like Brothers.

Vol. XII.

THURSDAY NOVEMBER 1, 1810.

No. 580

WEST FLORIDA

—INDEPENDENT—

From the (Natchez) Weekly Chronicle.

We yesterday received by express, from our correspondent in West-Florida, the following highly interesting communications, which we lose no time in laying before our readers:

Head-Quarters Fort of Baton Rouge,
September 24, 1810.

SIR,—In obedience to the order of the Convention bearing date the 22d inst. I directed Maj. Johnson to assemble such of the cavalry as might be ready at hand and march immediately for the Fort Baton Rouge; I then proceeded to Springfield, where I found 44 of the grenadier company commanded by Col. Ballenger, waiting the orders of Convention; at 1 o'clock in the morning of the 23d, we joined Maj. Johnson and Capt. Griffith, with 21 of the Bayou Sara cavalry, and 5 or 6 other patriotic gentlemen joined us on our march. At four o'clock the same morning, we made the attack.—My orders were not to fire till we received a shot from the garrison, and to cry out in French & English, "Ground your arms and you shall not be hurt." This order was strictly attended to by the volunteers; we received no damage on our part; of the Governor's troops, Lieut. Louis Grand Pre was mortally wounded—Lt. J. B. Metzges, Commandant of Artillery, was also wounded—one private was killed and four badly wounded; we took twenty-one prisoners, among whom is Col. Delussus, the rest escaped by flight. The magazines, stores, &c. found in the garrison, have been reported to you by James Neilson, Esq. who was appointed for that purpose.

The various and complicated duties devolving on me from the pressing circumstances of the moment, forbid a more minute detail.

The firmness and moderation of the volunteers who made the attack was fully equal to that of the best disciplined troops.—Whole companies are daily flocking to our standard; and the harmony and patriotism prevailing in the garrison must be highly gratifying to every friend of his country.

Accept my assurances, &c.

PHILEMON THOMAS,

Commander in Chief of the Fort of Baton Rouge, &c.
Hon. John Rhea, President of the Convention of W. Florida.

Certified to be a true copy of the original in my office.

ANDREW STEELE, Sec'y.

By the Representatives of the People of West Florida,

A DECLARATION.

IT is known to the World with how much fidelity the good People of this Territory have professed and maintained allegiance to their legitimate Sovereign, while any hope remained of receiving from him protection for their property and lives. Without making any unnecessary innovation in the established principles of the Government, we had voluntarily adopted certain regulations in concert with our first Magistrate, for the express purpose of preserving this territory, and shewing our attachment to the government which had heretofore protected us. This compact, which was entered into with good faith on our part, will forever remain an honorable testimony of our upright intentions and inviolable fidelity to our King and parent Country, while so much as a shadow of legitimate authority remained to be exercised over us.—We sought only a speedy remedy for such evils as seemed to endanger our existence and prosperity, and we were encouraged by our Government with solemn promises of assistance and co-operation. But those measures which were intended for our preservation, he has endeavored to pervert into an engine of destruction, by encouraging, in the most perfidious manner, the violation of ordinances sanctioned and established by himself as the law of the land.

Being thus left without any hope of protection from the mother country, betrayed by a Magistrate, whose duty it was to have provided for the safety and tranquility of the people and government committed to his charge, and exposed to all the evils of a state of anarchy, which we have so long endeavored to avert; it becomes our duty to provide for our own security as a free and independent state, absolved from all allegiance to a government which no longer protects us.

We, therefore, the Representatives aforesaid, appealing to the Supreme Ruler of the World for the rectitude of our intentions, do solemnly publish and declare the several Districts composing this Territory of West-Florida to be a FREE AND INDEPENDENT STATE; and that they have a right to institute for themselves such form of government as they may think conducive to their safety and happiness—to form treaties—to establish commerce—to provide for their common defence—and do all acts which may of right be done by a sovereign and independent nation. At the same time declaring all acts within the said Territory of West-Florida, after this date, by any tribunal or authorities not deriving their powers from the People, agreeably to the provisions of this Convention, to be null and void; and calling upon all Foreign Nations to respect this our Declaration, acknowledging our Independence and giving us such aid as may be consistent with the laws and usages of Nations.

This Declaration, made in Convention at the Town of Baton Rouge, on the 26th day of September, in the year of our Lord 1810,—We, the Representatives, in the name, and on behalf of our constituents, do hereby solemnly pledge ourselves to support with our lives and fortunes.

John H. Johnson, John Morgan,
John Mills, Edmund Howes,
John W. Leonard, Thomas Lilley,
William Barrow, William Spiller,
Philip Hickey, Jno. Rhea, Pres.

By order of the Convention,
ANDREW STEELE, Sec'y.

National Question.

FROM THE AURORA.

NEUTRAL COMMERCE.

SIR,—I have shewn, in the only condition upon which France has consented to revoke her decrees, is, that we shall fulfil the engagement or promise, which we voluntarily, and of our own accord, made in our law of May 1st, 1810: and 2dly That Britain will not now cease to violate our rights, although the pretext, the alleged right of retaliation, be removed.

The next topic for consideration, is, what we should do, in case Britain shall not cease to violate our rights? But before I enter into this enquiry, I think it useful to prove to the public, more particularly than I have yet done, that British ministers, and their advocates in America, have severally declared the orders of council to be solely retaliatory, and that they would be repealed, so soon as their alleged cause, that is, the French decrees, should cease. Let us examine official, and therefore authentic evidence.

1. In a note from Lords Holland and Auckland (the Fox ministry) to Messrs. Monroe and Pinkney, dated December 31, 1806, they state, that Britain never declared any port in a state of blockade, without allotting a force competent to make the entrance into it dangerous: that France had issued the Berlin decree upon an unfounded assumption, that Britain had violated neutral rights: and that, if neutrals should submit to the Berlin decree, Britain would be compelled to retaliate.

2. In a letter from Mr. Erskine to Mr. Madison, dated February 22, 1808, announcing the existence of the orders in council, Mr. Erskine says:

"His Majesty having been disappointed in his just expectation, that neutrals would have interposed with effect, either to prevent the execution of the French decrees, or to procure their abrogation; can no longer refrain from having recourse to such measures, as, by retorting on the enemy the evils produced by his violence, may afford the only remaining chance of putting an end to a system, the existence of which, is not more injurious to his Majesty's dominions, than to nations not parties in the war between Great-Britain and France.

"The right of his Majesty to resort to retaliation, cannot be questioned:—the suffering occasioned to neutrals, is incidental, and not of his Majesty's seeking, and I am commanded by his Majesty, especially to represent to the government of the United States, the earnest wish of his Majesty, to see the commerce of the world once more restored to that freedom, which is necessary to its prosperity; and his readiness to abandon the system, which has been

forced upon him, whenever the enemy shall retract the principles which have rendered it necessary."

3. The same language or professions will be found in the preamble to the orders of council.

4. In a letter from Mr. Canning to Mr. Pinkney, in answer to Mr. Pinkney's letter of May 23, 1808 he said, "his Majesty will be compelled to adhere to the principles, upon which the orders of council of January 7th & November 11th, were founded, as long as France adheres to that system by which his Majesty's retaliatory measures were occasioned and justified."

5. In a letter from Mr. Canning to Mr. Pinkney, dated September 3, 1808, Mr. Canning says: "To the representations which you have repeatedly made against the orders of council, I have uniformly maintained the unquestionable right of his Majesty, to resort to the fullest measures of retaliation, in consequence of the unparalleled aggression of the enemy, and to retort upon that enemy the evils of his own injustice—and have uniformly contended that "if third parties suffer from those measures, the demand of reparation must be made to that power, which first violated the established usages of war, and the rights of neutral states."

6. In a debate in the House of Lords, February 17, 1809, Earl Bathurst, Lord Melville, & the Earl of Liverpool, maintained that "the origin of the orders in council, was the Berlin decree; that until the Berlin decree was revoked, the orders in council ought, as a matter of right and interest, to remain in force: that the orders in council were founded on justice, approved by experience, and were the best means of retaliating upon the aggressor, the acts by which he had violated the laws of nations." In the course of the debate, Lord Howick's letter to Mr. Rich was quoted by the Earl of Liverpool, in support of the preceding positions.

7. In a debate in the House of Commons, March 6, 1808. Mr. Stephens (author of *War in Disguise*) contended that the orders in council were a political retaliation of the French decrees, and that those decrees had actually injured British trade: "it has been erroneously supposed (said Mr. S.) that we have not suffered from those decrees, even the British party in America has not been bold enough to state how the fact was; Mr. Pickering, who so ably defended the British cause, has not stated it." Upon the ground of injury done, he, therefore, maintained that the orders ought to be adhered to.

8. The letter written by Mr. Pickering, in the winter of 1808, against the embargo, declares, that "the orders of the British government, are retaliating the French imperial decree."

9. In Mr. F. J. Jackson's letter to Mr. Smith, dated October 11, 1809, he announced that Britain would not revoke her orders, unless the United States would break off intercourse with France, permit the British navy to enforce our non-intercourse law, and give up the colonial trade—or unless the U. States would procure the repeal of the French decrees.

10. The New York Evening Post, of October 26-7, 1807, a paper notoriously in the pay of the British consul at New-York, declared that "there is no hope of the British ministry revoking their orders as long as Bonaparte refuses to rescind his decrees, and our government choose to submit tamely to his measures." The following we believe is the answer, in substance, of the British to the American Minister.—"Our orders were drawn forth by the decrees of Bonaparte, which were quietly submitted to by you; procure a revocation of his decrees, or bring to a close your intercourse and negotiation with him, and our orders as far as they relate to you shall be rescinded."

11. The Norfolk Ledger, another federal print, of April 28, 1809, understood to be patronized by the British consul there, also declares, that the British orders were issued in consequence of the French decrees, and that their object was to procure a repeal of those decrees. These facts, I presume, are so impressive, and the sources of authority so authentic, that, desperate as "the British party in America" are, they will not have the hardihood to pretend that Britain is not pledged to rescind her orders, now that the decrees of France are revoked.

Will she rescind those orders? I again ask, and again say she will not—

she may revoke the new orders of November, 1807, and January, 1808, and thus pretend that her promise will have been fulfilled, but she will not abandon the principle (of monopoly) upon which they were in fact founded; she will not cease—1. to impress our seamen; 2. to interrupt our trade in innocent goods; 3. to prevent us from going to Bourbon, Mauritius, or any other colony; nor will she abandon her paper blockades. If what I said in my last letter is not sufficient to satisfy the public, that our neutral rights will be violated hereafter as grossly as ever, I here quote, from the letter written by Mr. Monroe to Mr. Madison, dated February 28, 1808, a single paragraph, which speaks a language no one can misunderstand;—

"In every case which involved a question of neutral right, or even of commercial accommodation, Great-Britain was resolved to yield no ground, which she could avoid, and was evidently prepared to hazard war rather than yield much. There seemed to be no other mode to compel her to yield, than that of embarking (with her) in the war with the opposite belligerent, on which great question it belonged to the (American) national councils to decide. We, (Monroe and Pinkney) had pressed the claims of the United States, in the negotiation, to the utmost limit that we could go, without provoking that issue (war.) It is most certain that better terms could not have been obtained at the time we signed the treaty, than it contains."

Here is a volume of instruction, which should always be open before us; this is a warning, which if attended to, long ago, would have saved to our country much reputation, thousands of citizens and millions of property: Yet, I fear, that we shall not profit by it even now.

At the time the above mentioned policy prevailed in Britain (1806) the Fox administration was in power, and the Berlin and Milan decrees were not issued; who can suppose, then, that Britain will now, wholly ruled by the Pitt policy, consent to do what she refused to do, when ruled by Fox?—If she preferred war then, will she not hazard it now rather than respect our neutrality? If Mr. Monroe could not get better terms than those of 1806 (when the Fox ministry refused to cease impressment, to define blockades, or to abandon the rule of '56) can any man expect to get as good from Lord Wellesley!

I think that we might wish as much propriety expect to obtain the whole British fleet as a free gift, as anticipate any pacific arrangement, calculated to heal our wounded honor or to save it from further injury.

As therefore, we are pledged by our own act, to cease all intercourse with Britain, in case she should not respect our neutral rights, now that the French decrees are rescinded; and as there is no sort of likelihood that Britain will perform what she has so often expressed her willingness to do; what should we do, or, rather, what will be the issue?

According to our law of May 1, 1810, the President is bound, as soon as he ascertains that the French decrees will cease to exist on the 1st of next month, to issue a proclamation announcing the fact. He may hourly expect, though he has not yet received the official notification, and will speedily make it known; so that, in three months thereafter Britain must determine, either to "revoke her edicts so that they shall cease to violate the neutral commerce of the United States," or to refuse to revoke them. Until this shall be decided, there will of course be as much hazard as there is at present in going to the continent, but from France we shall henceforth have nothing to dread.

Should Britain recede from her maritime policy and principles, her professed desire, as expressed by Mr. Erskine, will be gratified, as "the commerce of the world will then be, once more, restored to that freedom which is necessary to its prosperity."

Should Britain not recede, and I contend that she will not, we shall cease to hold any intercourse whatever with her, and shall be at liberty to trade to the continent of Europe as we formerly did—if the British will not interrupt us.

But, as it is evident, that, if Britain refuses to recede, and we stop all intercourse with her, she will endeavor to prevent our going to the continent—what should we then do?

Very fortunately, this is answered already, by a federal print, and therefore there can be no caviling at my assenting to the federal position. When the

news of Mr. Erskine's arrangement (of April 1809) for the repeal of the orders in council, was received at Norfolk, the *Ledger*, a high-toned federal print, published the following remarks (April 28, 1810.)

"We think it requires no great reflection to perceive the policy of Great Britain at this time [in making the arrangement, which was afterwards discovered] it is certainly both wise and liberal, and must be beneficial in almost any event. The laws of the U. States, having placed Great Britain and France upon the same footing, the former has seized the occasion of compelling France either to revoke her decrees, or to meet the resentment of the United States. If France revokes her Berlin and other decrees, Britain has gained her object, for her orders were issued in consequence of these decrees alone; if France does not revoke her decrees, we presume their execution will be resisted by force, for we cannot believe that the U. States will permit so large a portion of her commerce, as that with Great-Britain and her dependencies, to be interdicted or interrupted, without resistance."

This emphatic federal argument, which I pray my readers to examine and bear in mind, I fully adopt in answer to the question—what should we do, if Britain will not now revoke her orders? There could not, in fact, be any argument more to the purpose or to my liking, and in order to shew how admirably it applies to one case as well as to the other, I will now use it, only changing the names:

"We think it requires no great reflection to perceive the policy of France at this time [in revoking the Berlin and Milan decrees] it is certainly both wise and liberal, and she must be benefited in almost any event. The laws of the United States having placed G. Britain and France upon the same footing, the latter has seized the occasion of compelling Britain either to revoke her edicts violating neutral rights, or to meet the resentment of the United States.—If Britain shall revoke her edicts, France will have gained her object; for her decrees were actually and avowedly issued in consequence of those edicts alone—if Britain shall not revoke her edicts, we presume their execution will be resisted by force, for we cannot believe that the United States will permit so large a portion of her commerce, as that with France and her dependencies (more than double the amount of that carried on with Britain and her dependencies) to be interdicted or interrupted without resistance."

What the advocates of Britain recommended in 1808, was never objected to; the justice of resisting France, in case it refused to revoke its decrees, after the repeal of the orders of council, was not disputed; all parties would have supported that system, had Mr. Erskine's engagement been fulfilled. Let us now see, whether "the British party in America" will now evince the same national spirit; let us now mark whether those who call themselves American republicans, will support the administration, in case of necessity, in resisting Britain by force, as they called upon the country to do, in case of necessity, in 1808, against France.

As to the course to be pursued, in the event of Britain's refusal to revoke her edicts, no other can be adopted than that which, under other circumstances, "the British party" recommended—we must resist; and I say we shall be compelled to do so; and therefore, the sooner our people prepare for that event, the better. France has put an end to negotiation and caviling about trifles; we have a straight course before us, and if we pursue it, we cannot but be benefited; we are so situated, that we can no longer adopt expedients, nor enter into a compromise, we must at once, in the eyes of the world, take our stand, & act as a free nation, or give up all pretensions to that character.

Such, sir, are my sentiments upon this important subject. France has put our professions and engagements, and those of Britain also, to the test; in a few months, the public will be able to decide whether I have not anticipated the result, with accuracy—they will then find, that we have no alternative between resistance and absolute dishonor.

SIDNEY.

CASH OR BOOKS

Given at this Office for clean Linen or Cotton
R. A. G. S.