# REGISTER

## North-Carolina State Gazette.

Ours are the plans of fair deightful Peace, Unwarp'd by party rage, to five like Brothers.

THURSDAY, MAICH 28, 1811.

## VoL, XIL

## RELATIONS GREAT-BRITAIN.

RALEIGH

well as of honor. The dispute origina-

ted in certain restrictions, imposed by

We hope the length of the following article will not deter our readers from perusing it with that attention which its intimate connection with our present situation is calcuhied to excise Stripping it of the madmis. sible doctrine which the writer advances, appagently more with a view to his own consistency as its only supporter heretofore, than from any connection which it has with the present question; Mr. Cobbeir's remarks present us with a foreible and, in many res pects, a very correct view of what has been and what ought to have been the policy of G. Britam towards this country. It will be seen that he completely justifies our Executive in the ground taken (though not at that time known to him) in relation to the block ade of May 1806, which he declares to be the foundation and origin of the new system of blockade-whether distinguished by the name of blockades, decrees or orders in council-which has harrassed our commerce and outraged the law of nations for the last five years. He does not entertain a doubt that the declaration of the French Minister was to be viewed as an official annunc-ation of an act of his government ; and supports his reasoning on this head by an apt allusion to a case in point, "recently occurring between the British and French governments, in which, the British government without hesitation, offers to consider an official declaration by the French government in the ight of an actual performance of the act declared or promised to be done The infer ence is correctly and unanswerably deduced that the British blockading system should have ceased, if not before, at least in the same manner as the French, immediately on the receipt by the British government of the the note of the Duc de Cadore to General Armstrong in August last ; and the re fusal to relinquish it was a contradiction of all the declarations of his Majesty and un Majesty's ministers of their readiness to a bandon the system whenever an opportunity should offer uself. The letter of the Morquis Wellesley on this subject, he proves to be a mere evision, a quibble unworthy a statesman or a great nation, and thus takes the ground from under those in our public prints and on the floor of Congress, who have bottomed an accusation against the Executive on the supposition that the de diaration of the British minister, in relafion to the orders in e uncil was of the same character with that of the French minister of foreign affaits in relation to the Berlin. and Milan decrees : If any man has till now doubted the disposition of the British go. vernment, in defiance of justice or policy, to adhere to its vexatious and illegal orders, disregarding even that haughty consistency in error that nation has heretofore affected to maintain, let him read this article and doubt no longer. It is entitled to the more attention as drawn from a source which no man ever supected of partiality to America ; as the production of a man, who, in whatever situation he has been placed, has invariably manifested the utmost contempt for our Republican institutions, and labored unceasingly to degrade them in the eyes of the world. When such a man takes the side of American right, a blush of shame should tinge the cheeks of those among us who have so heartily espoused the other side of the question .- Nat. Du.

us upon Neutral Commerce, contained in regulations of Blockade ; which regulations the Emperor of France answered by others of similar or more violent sort. These drew other regula. ions from us. These produced others from him. We rejoined in the same sort of way. Both sides told the neutrals (or, rather, the neutral. America being the only nation really in that state) that, as long as she submitted to the regulations of one party, she must expect to be obtiged to submit to those of the other party. W will now see what those regulations, or restrictions were. The first measure of this sort was adopted by England, and described in the subsequent papers, No. 1 (I have numbered them for the purpose of easy reference) which a letter from Mr. Fox, 8th April, 1806, to Mr. Munroe, then American Minister in England. In this letter it is stated, that the king of Prussia having taken possession of various parts of the Elec torate of Hanover, and other dominions belonging to his Majesty, in forcible and hostile manner, and having done other things injurious to English commerce, in violation of the just rights of his Majesty, and contrary to the estabished law and practice of nations in am- I by the President by Proclamation, and ty with each other : that for this cause, his Majesty had ordered a blockade of [ not, in three months from that time, rethe entrances of the Ems, the Weser, he Elbe, and the Trave ; and that all neurals would be treated accordingly, if they attempted to enter those rivers. Thus these restrictions began, then, in measure for which the conduct of the king of Prussia, towards his Mojesty's German dominions was the ground. From Nos. 2 and 3, bring letters from M. Fox and Lord Howick to Mr. Munrue, dated 16 h May, and 25th September, 1806 it will appear that those restrictions were modified ; but, Nupoleon naving conquered Prussia. or, at least, having overrun it, and taken possession f it, in the following month 'f November, he issued from BERLIN, the D ree; No. 4 in which Decree he declared the British Islands in a State of Biockade ; he declared that all commerce wi h them was interdicted ; that every thing belonging to English subjects should be confiscated ; that no vessels (including Americans) of course) coming from England or her colonics should be admitted into any port ; and that all vessels contravening, or attempting to contravene this Decree, should be confiscated. Such was the famous Berlin Decree, which, when the intelligence of its being issued reached England, drew forth the first of those measures of our government, which have become equally famous, under to. name of the ORDERS IN COUNCIL It was dated on the 7th of January, 1807 and it set forth, that in consequence of the violation of the rights of nations committed by Napoleon, and expressed in Orders, as given in the city of B .r-In Decree, England would be justified in going much further, but that she contented herself with ordering, that no vessel should be permitted to rade from one port to another, both which should belong to, or be in possession of Napoleon or his allies, or should be so far under their control as that British vessels might not trade freely thereat ; and that neutral vessels attempting to act contrary to this order, after being duly warned not to do it, should be captured, brought in, and considered as lawfui prize In this state things continued during the remainder of the time that the late ministry remained in power. But, after their successors, took the reins of government, more rigorous form the last document in the series to say, why were they not declared to as laid before Congress in Nov. of that measures were adopted ; and, under | which I now insert. In consequence the dates of the 1 ith and 25th of Nov. of the revocation of the French decrees, 1807, nine Orders of Cruncil were issued, laying new restrictions upon the commerce of neutrals with the ports of France and countries depending upon, least, so it is said) with the same treator under the influence of France. In deed, these Orders put an, end to all neutral commerce, except by lie nce in short, that they have been received in February 1805, declared to the Ame- would readily follow the example, in from England. By way of retaliation for these new and additional restrictions, Napoleon issued. from MI-LAN, dated 17th December, 1807. the decree known by the name of the Milan Decree, and, as our Orders had decla red, that they should be continued in force till the Berlin Decree was revoked. so this Decree from Milan declar: d, that its restrictions and penalties should remain in force, till the Orders in Councit should be reveked. Both the hostile | we have the case fairly before us ; for, revoke their decrees : for in what other only that he would readily follow the nations made an appeal to America (for though there have been other orders way were they to make a retraction of example of France ; that is to say, he

for suffering our enemy to enforce such restrictions ; it is for jos to compel our enemy to respect your fise, and, until you de that, I will enforceagainst you my measure of retallation which I do, not in hostility towards yas, but as my only means of self-defene against the tyrannical measures of me enemy. A. merica, as was very natural, in her sit ation, compla ned of both She talked of war, to which she, however, had always a hearty dislike ; and, after having tried negociation in vain, she fell upon this expedient. She protested against the grounds of justification taken by both parties; she declared that both had violated her rights ; but, she, at last, determined to submit, for the present, while she endeavored to prevail upon one party or the other to give way first, and to revoke their Orders or Decrees. After long and fruitless cfforts in this way, she passed, on the 1st of May, 1810, au Act, which she expected would have the effect desired. In this act it was provided, that, if either Great-Britain or France should, before the 31st of March, 1811. so revoke or modify her edicts, that they should cease to violate the neutral commerce of America, the fact should be declared that, then, if the other nation should voke or modify her edicts in like manner, the NON-INTERCOURSE A T should be revived against that nation. Thus things stood previously to the 5th of August, in 1810, in which day the French minister for foreign affairs communicated officially to Mr. Armstrong, the American min ster at Poris, that the decrees of Berlin and Milan were revoked, and that from the 1st of November 1810, they would crase to be in force. it being understood, that, in censequence of this revocation, the English should revoke their orders in council, and renounce the new principles of blockade which they had attempted to establish. Mr. Armstrong having communicated this notification to Mr. Pinkney, the American minister in London; the latter wrote on the 25th of August last to Lord Wellesley, our Secretary of State for f reign affairs, informing him of what had been done in France, and, at he same time observed, that he ook it for granted, that the revocation of the Brilish Orders in Council would follow as a matter of course, and that he hoped to be enabled to announce to his government, that such revocation had taken place. Lord Wellesley answered, that, whenever the repeal of the French decrees should have actually taken effect, and the commerce of neutral nations should have been restored to the condition in which it stood previous to the promulgation of those decrees, the king would have the highest satisfaction in relinquishing a system, which the conduct of the enemy had compelled him to adopt. This answer does not appear to have been relished much in America. It has a reservation, in it, which does not seem to promise a fuil and unequivocal revocation or, our part, even when the revocation of the French decrees shall have actually taken place ; and, we know, that a revocation did not take place in England. The French notification having been communicated to Mr. Madison, the president of the American states, he issued his proclamation, agreeably to the above mentioned act of Congress passed on the first of May, 1810, which proclemaion, together with the circular letter of the Secretary of the American Treasu- || orders in council-why were they not || of our minister, in America, to the Asury, have just been received, and they also revoked in the same way : that is merican government, in Feb. 1808. and of the notification thereof in America, several ships have sailed from America for France, and have met (at ment as they would have met with if those decrees had never been passed ; as neutrals, carrying on a lawful commerce ; have unladen their cargoes, and have sailed away unmolested in any manner whatever. " Others of them are || s necessary to its prosperity, and readi- their measures." Now, have we, in said, in our public papers, to have been captured by our cruizers, and brought in for condemnation, and that they now await their fate, the admiraky judge, Sir William Scott, having suspended nis decision on them. Thus, then, when we have read the subjoined documents, be revoked whenever the French should in the king's name, clearly meant not upon as by considerations of interestias | she was the only acutral in fact) in this [ in council, modifying, or in some res- [ their principles ? Indeed no other sense [ would do whatever she did, and as soon

still, if the latter had never existed. those which are here inserted would have produced the dispute in its present shape. We need not now agitate the question whether the making of our orders in council was just or unjust, expedient or inexpedient; they were made, they have been enforced to, this day. and the question for us now to decide upon, is, whether they ought now to be revoked. My opinion is that they ought to be revoked, and, indeed, that they ought to have been revoked in August last, upon the notification of the revocation of the Berlin and Milan decrees having been made to our government. The reasons upon which this opinion is founded, I will now state in as short and clear a manner as I am able, just observing first, that I am viewing the mat ter as a matter of justice ; as a thing wholly depending upon particular compact, and not at all as a matter of policy or of general principle. I always thought the orders in council just and wise also, as far as they went. -They did not go so far as I would have extended them, nor were they botcomed in a true and sound principle, the principle that Selden justified with the pen and Cromwell proclaimed from the when England can no longer maintain & openly act upon, she may as well at once surrender her fleets and her dock yards into the hands of Napoleon. But the question now before us is altogether of a different nature. It arises out of a particular compact or agreement, which though not embodied into a single instrument, with the appendages of dates. signatures and seals, is and ought to be as binding as any treaty made like the Portugal, " in the name of the most hely and undivided Trinity." How then stands the case ? We make certain maritime regulations which induce Napoleon to issue the Berlin decree. This decree brings forth our orders in council. These produce the Milan decree. America complains of us both. Nei-" ther of us, the beligerent parties, attempt to stand by what we have done as acts just in themselves. We both expressly declare them to be acts of retaliation, and both declare upo'n every oceasion that presents itself, that as soon as America shall have prevailed upon our opponent to revoke his regulations, we will revoke ours. Each party said to America, By submitting to the decrees or orders of my enemy, you injure me; and I must, therefore, in self-defence make you submit to similar decrees, which I shall impose, But each declared, that, whenever the other party should revoke || desired to do away !---- For, if we rehis decrees or orders, he would instantly revoke his. Well then, there appeared nothing wanting to accomplish the wishes of America but a beginning in this revocation. That is never could begin unir:ss one of the belligerent parties took the lead, was certain. This, at last, Napoleon (who is obs inste only when his interest requires it) did, and apparently without any reluctance. as we have seen in the letter of the French Minister of Foreign Affairs to Mr. Armstrong. In that letter, an official instrument, it is declared that the decrees of Berlin and Milon " are revoked," and that they are to cease to have effect on the first | vocation, to be acted upon at any time day of November. Now, when this was communicated to our government, as we see it was on the 25th of August last, by the American Minister here, in an official instrument, why were not | will certainly be strengthened upon our orders in council, our retaliatory | his being informed of the declaration be revoked, and that they should cease to have effect on the 1st of November | ments, then " communicated the sevelast ? The orders were from first to last || ral late decrees (orders in council) of declared to be acts of retaliation ; they his government, with expressions of the clearly convey the idea that they are to || regret felt by his Britannic m jesty at continue in force no longer than the de- 1 the necessity imposed on him for such crees of the enemy, whence they have || an interference with neutral commerce, arisen ; and our Minister in America, || and with assurances that his majesty rican government, " his Majesty's car- | case the Berlin decree should be renest desire to see the commerce of the ecinded; or would proceed, pari passu world restored to that freedom, which li with France, in relaxing the vigor of ness to abandon the system which had good earnest, acted up to this declarabeen forced upon him, whenever the e- | tion. "Pari passu" (a term which the nemy should retract the principle which | learned make use of to shew. I suppose. had rendered it necessary." If these | the utility of Latin) means here, with words had any meaning at all, they | equal pace ; or, to keep pace with ; and, meant that our orders in council would I this declaration, of our minister, made

way : each said to her a it is your fault || pects altering the orders, here inserted, || can possibly be attributed to this declaw ration of our Minister in America ; unless it be pretended that the King of England meant that France should make an express and formal confession of her having acted upon unjust and erroneous principles; and I think there is no man with any pretensions to fairness, who will attempt to support an opinion that the words of our minister were either tas ken or meant, in such a sense. If then the reader be of opinion, as I think he must, that the letter of the French Minister for Foreign Affairs to Mr. Armstrong fairly amounted to a retraction of principles complained of by us, he will of course ask for the reasons why his Majesty's "carnest desire" to see the commerce of the world restored to freedom and his "readiness to abandon the system forced upon him," did not produce the effects which were naturally to be expected from them; or in other words, what could now be the reason for not following immediately the example of the French in revoking the orders in council. Instead however, of an immediate revocation, upon receiving, from the American minister here an official notification of the revocation of the French decrees, our minister for foreign fairs, Lord Wellesley, answers " that cannon's mouth that principle, which. || whenever the repeal of the French dee crees shall have actually taken place, and the commerce of neutral nations restored to the condition in which it stood previously to the promulgation of those decrees"-then the King will relinquish his present system. What, let me ask, was meant by the revocation having aotually taken place ? Had it not actually, that is to say, really, taken place ? The French Minister says, " the decrees are revoked." What was he to say more? lately made with the Prince Regent of In what way was an actual revocation to take place, if not in this way ? And how was the fact to be communicated to us, except in the way in which it was communicated,-that is to say, officially through the American minister to whom, or to whose gove ment the revocation would of course be announced by the government of France ? Really I cannot, for my part, form any notion of what we could require further ; or of what could further be demanded as a proof that the revocation of the French decrees had actually taken place. Did Lord Wellesley mean that we were to. stop till the first day of November, in order to see whether the French would act upon the revocation, agreeably to their promise? If this was what was meant, how did it agree with the declaration about the King's readiness to renounce a system that had been forced upon him, and which he so carnestly fused to begin our revocation ; if we refused to declare it, if we refused to declare it even conditionally, how was it to be expected or hoped for, that the French would act upon theirs at the day named in the notification of the French minister to Mr. Armstrong? What in short, did such refusal, or postponement, amount to but this : that, though the French had officially declared to America the revocation of their decrees, to be acted upon, on a certain day, yet, such was cur opinion of the parties, that we must see it acted upon before we would even declare our reat all? If the reader thinks that this was what we could not reasonably expect any independent nation to hearwith great complacency, that opinion year. He, according to these docu-

No. 601

1. Pay Only

### From Collett's Political Register. SUMMARY of POLITICS.

AMERICAN STATES-Heavy asore the blows, which commerce has lately received, a blow greater than any of the sest seems now to await her. The dispute with the American States, relative to our testrictions upon their maritime trade, is of so long standing, and has been rendered so confused by the prodigious volumes, which the lawyer-like statesmen, on both sides of the water, have piled together upon the subject, that, in order to render the matter in telligible to my readers, and to furnish them with the means of coming to a just decision thereon, I think it necessary to go back to the origin of the dispute, to trace it down to the present time, and to subjoin to these my statements and observations ail the authentic documents necessary to be referred The public have seen the Proclamation of Mr. Madison, the President of the American States, whence they will have perceived, that, unless we remove certain of our Ord rs in Council which indeed, are now in part become Laws) all intercourse between this country and the States of America will be interdicted after the 2nd of February next, while the commercial communieation between France and those States will be open, but will still be opposed to our obstructions. The question for us to deside upon, is, whether the Orders of Council, of which America complains, aught now to be revoked by us. This is the question ; and, as there is no time. to be lost in deciding upon it, as the dispute is now come to a crisis, as there appears now to be nothing left but an immediate choice between accommodacion and hostility, a decision is pressed