



AND

North-Carolina State Gazette.

Course the plans of fair daylight Peace,
Unwarped by party rage, to live like Brothers.

FRIDAY, SEPTEMBER 20, 1811.

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Dispute with England.

From the LONDON COURIER, of July 17.
(A Ministerial Paper.)

The American government having made such haste to publish Rodgers' account of his action with the *Little Belt*, as if they were anxious to shew their desire to shut the door against all negotiation, explanation, and adjustment, our government have felt it their duty not to withhold Capt. Bingham's account. It will be found that we published a correct sketch of it in the *Courier*, of the 4th inst. and that the account given by the American is any thing but the true one. Capt. Bingham knew her to be an American frigate by her colors; Rodgers, therefore, must have known that the *Little Belt* was but a sloop, and, as our colors were hoisted, that she was a British sloop. But he came down upon us with an evident hostile intention, attempting to lay his ship in a position to rake ours. He did not hail us first, as he asserted, following up that impudent falsehood with a lecture upon the "rules of politeness." We hailed a first and second time, receiving each time only a repetition of our question. There was no single gun fired by us or on either side. But the American, the moment after we had hailed the second time, poured a broadside into our sloop, which of course was immediately returned, and an action took place; not of five minutes only, as the *Buccaneer* stated, but of three quarters of an hour—18 British guns against 44 American! And we never struck our colors! This is placed beyond a doubt by the *Buccaneer's* question and Captain Bingham's answer. The next day the American sent a boat on board to express his regret "for the unfortunate affair," to tell a direct lie that he did not know our force to be so inferior, and to follow it up with another falsehood, that we fired the first gun. "This," says Capt. B. "was positively not the case," and if we had not the sacred word of a British officer, we still should have said how wholly improbable it was, that a sloop of war should commence hostilities within pistol shot of a large 44-gun frigate.

There is however one point of Capt. Bingham's letter in which we do not agree with him. He says, "by the manner in which he apologised, it appeared to me evident, that had he fallen in with a British frigate he would certainly have brought her to action." No, no; the man who could begin hostilities by attacking a vessel of so inferior a force would have shrunk from a contest with a ship of equal force. However, we hope he will "fall in with a British frigate, and bring her to action."

The American government having published Rodgers' account, and approved of his conduct, thereby precluding all negotiation; Capt. Bingham's letter having placed it beyond a doubt that the hostile conduct of the American was wholly unprovoked, and that letter being coupled with Admiral Sawyer's previous instructions, demonstrative of the anxiety of our government not to give the least provocation or cause of offence to the United States, there is but one course left for us to pursue. The blood of our murdered countrymen must be avenged, and war must ensue.—The conduct of the American leaves us no alternative; and therefore it is idle, if not worse, to treat the subject as if it were "an inconvenient dilemma which Ministers," according to the opposition "have solely to attribute to their own folly, in not confirming Mr. Erskine's sensible arrangement." Of Mr. Erskine's sensible arrangement we have so often expressed our opinion, that it were unnecessary to repeat it. We have behaved towards America with UNEXAMPLED FORBEARANCE; but that forbearance has produced INSOLENCE, AND THAT INSOLENCE MUST BE PUNISHED!

From the National Intelligencer.

London papers to the 17th July inclusive have been received at the office of the National Intelligencer, extracts from which will be found in our subsequent columns.

The article of unquestionably the greatest importance to us is that from the *London Courier*, the ministerial paper, of July 17th. It is difficult to say whether it be more remarkable for its unparalleled insolence or arrogance. If it be considered at all an index of the feelings of the ministry, war is already

declared; and we may look for its heralds with every Eastern breeze. The tenor of this article, in the quarter in which we find it, entitles it to serious consideration, although its impudence and falsehood would otherwise place it below contempt. But let us not stoop from the elevation of our position, let us not degrade the sanctity of our cause, by mingling with these braggadocio editors of Britain in a war of tongues. If the climax of a long series of insult is to be offensive war, let us brace ourselves to the occasion, and meet it like men. "God and our right" be our motto; it is one under which the minions of monarchy have no title to combat, but which will never fail to lead Americans to Victory.

Anxious as we have always been to avoid war, perhaps its occurrence is at this moment scarcely to be deprecated. We have arrived at such a state of things with this power, that nothing but our pacific policy has so far restrained our arms; and if she chuse to begin the unsought fray, we trust the chastisement she so richly merits will be her reward.

The only particular cause we perceive for regret at this moment is, that Congress are not in session, on whom devolve all the important preparations for the event. Could the Executive have conceived that Britain was so hotly bent upon war, as to make the punishment of Bingham's folly the pretext for it, Congress would doubtless have been at this day in session. It is to be hoped, however, that every thing will be done to the extent of the responsibility of the Executive and Heads of Departments for the purpose of placing our forts, &c. on a footing for immediate service.

It would be an insult to the understandings of our readers to particularize the manifest absurdities and inconsistencies in the comments of the British Editors; they are so palpable and prominent, that to dilate upon them would be to weaken the impression which the bare perusal must make on every reader.

Suppose, only suppose, that all this hectoring and bullying of the British ministerial papers should prove to be a mere *brutum fulmen*, a flash which is to evaporate in smoke: suppose that by the time Mr. Foster's dispatches are received; and before that time they surely will not have the hardihood to proceed to hostilities; suppose by that time their courage should have oozed out at their fingers' ends, and their warfare have subsided, how perfectly ridiculous will appear the ministry and their pensioned editors on both sides the water!

Can any of the semi-official Editors in this country inform us; if they can we shall be much obliged to them; whether the recent infamous captures on our coast and in our waters are intended as the commencement of the war with which we are threatened?—Or are they merely an extension of the British system of "retaliation on her enemy?"

THE NAVY.—There is a question, of great importance in the future policy of our government, which we think, Congress will at length be compelled to decide.—*Shall the U. States complete and maintain a Navy?* It is a question which has never yet been fairly met by the National Legislature; but which ought no longer to remain in suspense. If we are to have a Navy, in the name of our country's honour, let it be placed on a more respectable footing than it now is. With all the paraphernalia of a Navy Department, we have at present but little of its utility, and at a great comparative expence we have a force not adequate; perhaps, if it were double its present magnitude, to compete with the petty squadron now on our coast, much less with that under Sir Joseph Yorke, which is said to be on its passage. To send our present naval force to sea, therefore, in case of a declared and active war, would only be a wanton sacrifice of some of our brave spirits as ever animated men, in a contest in which defeat would be almost unavoidable. On the Navy Question it is not our purpose to express an opinion; but to impress on our readers and brother editors the necessity of preparing their own minds and that of their representatives for a decision of a question, to which their attention cannot but have been impressively called by the scenes lately and now passing on our coast. We have no

doubt that an early day after the meeting of Congress will be assigned for a consideration of this subject; which, however Congress may be disposed to wave its decision, cannot longer be overlooked, consistently with the interest or honor of the nation.

BINGHAM'S INSTRUCTIONS.—The British prints lay much stress on the tenor of the instructions of Admiral Sawyer, under which Capt. Bingham cruized. These instructions, as published, shew indeed a decent regard for the rights of the United States—but nothing more. But were they the only instructions? If we refer to the conduct of Captain Bingham, we should imagine not; still less should we suppose so, if we refer to the late insolent conduct of the *Tartarus*. And, if they were, they speak so far as they go in favor of Admiral Sawyer's understanding and knowledge of his duty.—But their very precision and general propriety, supposing them to be the only instructions, add another shade of enormity to the offence of Captain Bingham. Why, if such were his instructions, did he so directly disregard them by commencing an attack on our vessel? If he be not broken for disobedience of orders, then will it be evident they were not his only instructions; because his conduct was a palpable infraction of them, such as could not escape exemplary punishment, if they were to have been his only rule of conduct. We have frequently reflected with astonishment on the hardihood of Bingham in attacking a vessel, as he did, which he says he knew to be of so superior a force. But if the intimation contained in the New-York *Columbian* be correct, then is the mystery solved, and the wretched intoxication of a weak man has proved the destruction of his men and the promotion of a new broil on the part of his government with the U. S.

"It will appear, under oath, that when the American officer went on board the *Little Belt* the morning after the action, one of Captain Bingham's officers, (a Lieutenant, we believe) pointing to some of the dead, said—"so much for the Captain's bottle!" [Columbian.]

FROM THE RICHMOND ENQUIRER.

MY PROJET!

Should France continue to respect her own engagement and our rights; and should Great Britain continue to seize our vessels that are bound to France, way-lay our coasts and interrupt, what we may term the *natural*, not the *mushroom*, commerce of this country—not the carrying or roundabout trade of consumption, which enables our merchants "to tread on Turkish and Persian carpets, and burn the perfumes of the east in their vaulted rooms"—but that natural direct trade, at which point the interests of Agriculture and Commerce directly meet and are intimately blended—(for what difference does it make, whether the Tobacco Note is this day in the pocket of a Planter, or tomorrow of the Merchant, if the Orders in Council should check its exportation and sink its value?)—Should such be the state of the nation, when its Conscript Fathers shall assemble in November—what course would I take?

I would sift all the Documents, which will be submitted to Congress, particularly the correspondence between Mr. Pinkney and the Marquis Wellesley, between our Charge d' Affaires and the same—the letters which have already passed between Mr. Foster and the Secretary of State and those which are yet to pass from Mr. F. between them, conveying the final sentiments of the British Government on the dispatches he has lately transmitted. Should I discover from the perusal of these papers, that neither the interest of Great Britain or the pressure of the non-importation upon her, were about to work an immediate repeal of her orders in council, the following would be my project:

I would at once lay an *Embargo*: In the mean time steps should be taken for issuing *Letters of Marque and Reprisal* against Great Britain.

"Reprisals," says Bynkershoek, are a means of redress to be used only in case of a denial of justice. They are an authorization granted by a sovereign, to take the persons and goods of the subjects of another prince, in order to obtain satisfaction for an injury committed on his own subjects, for which justice has been denied by the sovereign of the offending party. Thus an injury committed by force and violence, and not repressed by the competent magistrate, is redressed by the same means and in the

same manner." There is not one ingredient in the above definition, which does not enter into the composition of our own case—with this difference, indeed, that the injuries which we have suffered from G. B. are not only unredressed, but actually augmented, in the very name and under the *Orders* of her government.]

Let us not despise these means of hurling back the thunderbolt at her feet. When but in the very gristle and not yet in the bone of manhood, we captured, in the course of two years after 1779, not less than 753 of her ships. At a very moderate computation, it is said that we could now fit out 1500 fast sailing privateers, manned by 12,000 of the bravest and most expert seamen in the world, not very well disposed, we should think, to forget the injuries which their brave brethren have experienced from a British press gang. The very first cannon that should be fired, we should see millions of dollars (furnished by individuals of the northern and others of the southern states) appropriated to the equipment of privateers.

In the mean time, I would put the whole navy of the U. S. into requisition and in commission:

Fortify our forts—mount their cannon, and raise and discipline artillerymen to serve them:

Provide ammunition, raise troops, and prepare by every possible means for putting forth the force of the nation, in case a wanton attack should be made upon our towns.

I would give individual enterprises as free a scope as possible; it is a cheaper and perhaps equally efficient means of reprisal; but in case the British government should send forth her 74's to lay our towns in ashes, I would exact a terrible retribution upon her—raise troops enough to sweep her from Canada, or at least from the territory to the south of the St. Lawrence. The spirit of an incensed people would support the government in this act of resentment.

Such is my *Projet*—If you have a better, propose it; if not, "use this with me." SPIRIT OF '76.

South-America.

DECLARATION OF INDEPENDENCE

(Concluded from our last.)

Such were the causes which at length have impelled us to look to our own security, and to avert those disorders and horrible calamities which we could perceive were otherwise inevitable, and from which we shall ever keep aloof; by their fell policy they have rendered our brethren insensible to our misfortunes and have armed them against us: they have effaced from their hearts the tender impressions of love and consanguinity, and converted into enemies many members of our great family.

When, faithful to our promises, we were sacrificing our peace and dignity to support the cause of Ferdinand of Bourbon, we saw that to the bonds of power by which he united his fate to that of the emperor of the French, he added the sacrifice of kindred and friends, and that on this account the existing Spanish rulers themselves have already resolved to acknowledge him only conditionally. In this painful state of perplexity, three years have elapsed in political irresolution, so dangerous, so fraught with evil, that this alone would have authorised the determination which the faith we had pledged and other fraternal attachments had caused us to defer, till imperative necessity compels us to proceed further than we had first contemplated; but pressed by the hostile and unnatural conduct of the Spanish rulers, we are at length absolved from the conditional oath which we had taken, and now take upon us the august sovereignty which we are called here to exercise.

But as our glory consists in establishing principles consistent with human happiness, and not erecting a partial felicity on the misfortunes of our fellow mortals, we hereby proclaim and declare, that we shall regard as friends and companions in our destiny, and participants of our happiness, all those, who, united by the relations of blood, language & religion, have suffered oppression under the ancient establishments, and who shall assert their independence thereof, and of any foreign power whatsoever, engaging that all who shall cooperate with us shall partake in life, fortune, and opinion, declaring and recognizing not only these, but those of every nation, in war enemies, in peace friends, brethren, and fellow citizens.

In consideration, therefore, of these solid public and incontestable motives, which force upon us the necessity of re-assuming our natural rights, thus restored to us by the revolution of human affairs, and in virtue of the imprescriptible rights of every people, to dissolve every agreement, convention or social compact, which doth not establish the purposes for which alone all governments are instituted, we are convinced that we cannot and ought not any longer to endure the chains by which we were connected with the government of Spain; and we do declare like every other independent people, that we are free and determined to hold no dependence on any potentate, power or government, than we ourselves establish; and that we now take among the sovereign nations of the earth the rank which the Supreme Being and nature have assigned to us, and to which we have been called by the succession of human events and by a regard for our own happiness.

Although we foresee the difficulties which may attend our new situation, and the obligations which we contract by the rank which we are about to occupy in the political order of the world; and above all, the powerful influence of ancient forms and habits by which (to our regret) we have been hitherto affected; yet we also know, that a shameful submission to them, when it is in our power to shake them off, would prove more ignominious to ourselves, and more fatal to posterity, than our long and painful servitude. It therefore becomes our indispensable duty to provide for our security, liberty, and happiness, by an entire and essential subversion and reform of our ancient establishments.

Wherefore, believing, for all these reasons, that we have complied with the respect which we owe to the opinions of mankind, and to the dignity of other nations, with whom we are about to rank, and of whose friendly intercourse we assure ourselves,

We, the representatives of the confederated provinces of Venezuela, invoking the Most High to witness the justice of our cause, and the rectitude of our intentions, imploring his divine assistance to ratify at the epoch of our political birth, the dignity to which his Providence has restored us, the ardent desire to live and to die free, and in the belief and the defence of the holy Catholic and Apostolic religion of Jesus Christ, as the first of our duties.

We, therefore, in the name, by the will and under the authority which we hold for the virtuous people of Venezuela, do solemnly declare to the world, that these united provinces are & ought to be from this day forth, in fact and of right, free, sovereign and independent states; that they are absolved from all allegiance and dependence on the crown of Spain, and of those who now call, or may hereafter call themselves its representatives or agents; and that as free, sovereign and independent states, we hold full power to adopt whatever form of government may be deemed suitable to the general will of its inhabitants; to declare war, make peace, form alliances, establish commercial treaties, define boundaries and regulate navigation; and to propose and execute all other acts, usually made and executed by free and independent nations; and for the due fulfillment, validity and stability of this, our solemn declaration, we mutually and reciprocally pledge and bind the provinces to each other, our lives, fortunes, and the honor of the nation.

Done at the Federal Palace of the Caracas, signed with our hands, and sealed with the great seal of the provincial confederation, and countersigned by the secretary of the Congress assembled, on the 5th day of July, in the year 1811, and in the first of our independence.

[Signed by the representatives of the different states of Venezuela.]

TO BE SOLD, A TRACT OF LAND

Situate on the Yadkin River, in Montgomery county, about 6 miles above the Narrows.

CONTAINING about 1100 Acres, with two excellent Fisheries on it, several islands belonging to the Tract.—The Land is very well adapted for the cultivation of corn, wheat, cotton, and tobacco, with tolerable buildings, and convenient out-houses and a Cotton Machine on it. A further description is thought unnecessary, as it is presumed no person would wish to purchase without seeing the premises.—Also, six hundred and forty Acres lying about three miles from the Narrows, of the Yadkin River, on Beaver Dam Creek, that runs through the Tract.—Apply to ROBERT PALMER, on the Premises. 6m2.

April, 1811.