Political.

FROM THE ALBANY REGISTER.

COMMENTS,

the Diplomatic Absurdities and Anti-American Doctrines of Timothy Pickering.

No. L An honest heart is the surest standard of moral rectitude; what gives it pleasure is consonant with that divine

principle implanted by God in the breast of man, to guide him through the changing scenes of life, and what gives it pain essentially disagrees with that harmonious system which alone tallies with reason and is the source of equity and justice. This infallible criterion may be applied to all our actions, in a public or private situation, and will never fail to tell what is right or wrong.

In reading Mr. Pickering's last appeals to the people; what must have been the feelings of the upright men of all parties to view an American born citizen, a gentleman who has held under the government of the United States eminent military and civil offices, who once has been at the head of their foreign relations, and who claims the honeur of Washington's friendship and confidence, become the champion of another country, when the rights, the honour and the dignity of the nation to which he belongs are committed with that country, and torture his understanding to stamp his fellow-citizens with infamy, to belie their word, to disgrace their infant navy, and to present to the world their conduct as unwarrantable, and their valorous actions as those of vile murderers !! It is morally wrong and politically criminal. But his pen, tottering under the irregular pulsation of an agitated conscience, has involved him in an inextricable labyrinth of nonsense and inconsistency, where he shall be pursued, detected and brought to shame. Let us follow his wandering steps and mark them.

In the numbers XVI and XVII of his appeals to the people, published in the Gazette of Albany, Mr. Pickering informs us, that the resuit of his observations, since he occupied a seat in the Senate of the U. States, enabled him to assume it as a notorious fact, that our rulers had evinced a manifest partiality in favor of France; that the secret design of the administration had been constantly to involve the United States in a war with Great-Britain; that the late occurrence, the hostile act of Commodore Rodgers, has led him into a new trainof thought upon that subject, and that the meeting of the American frigate with the English sloop of war was doubtless accidental, but in fact the result of previous orders to pursue another frigate, the Guerrier, which has been engaged in the business of pressing men on our coasts; and to prove it, he states, that Commodore Rodgers was 14 or 15 leagues from Cape Henry when he discovered the English sloop in the east, and gave her chase for more than 6 hours before he came up with her, and he concludes from that circumstance that this unwarrantable chase was in execution of previous orders, without which Commodore Rodgers, commanding neutral armed vessel, would not have felt himself justified in making it; an opinion which he thinks is strengthened by the approbation given by the Exeoutive to the Commodore's conduct, and the refusal to have it examined in court martial, where the exhibition of his orders might officially expose the Executive to merited censure for authorising an act of war. To elucidate this point, Mr. Pickering supposes that if in time of peace two vessels meet and the high seas and hail each other, no one will assert that either is obliged to answer; just as if two citizens meeting on the high way, the one civilly accosting the other, is passed without an answer and unnoticed, no one would justify the former in using his pistol or his cane to kill or beat the other because he was deficient in politeness; but when a nation is engaged-in war, to send out its armed vessel to cruise on the sea, the common high way of nations, then, pronounces Mr. Pickering, the right to chase, to hail, to require an answer, accrues to the vessels of the nation at war, because they have a right to capture those of the enemy. The neutral armed vessel, on the contrary, continues Mr. Pickering, seeing her nation is at peace with all other nations, professes none of these rights, because they are not necesary to any of the objects of

she is bound to avoid every hostile act, except in her own defence, when unjustly attacked. When she meets a belligerent armed vessel it is her duty (according to Mr. Pickering's code) to make known her neutral character to prevent the shedding of innocent blood and the evils of war hazarded by a refusal to answer. As neutral, the same authority decides, that she has no right to chase, to hail and insist upon an answer, because she has no right to make a capture, and that the frigate President, having none of these rights, is responsible for all the evils consequent on the chase, and the chasing of the British pessel being an unlawful act, the killing of her crew, is MURDER-a crime for which satisfaction will be demanded by the British government and refused by ours: because an act of war was intended, an act of war has in fact been committed, and a state of war was the object wanted by the administration to bring on an entire prohibition of intercourse, commercial or otherwise, with Great-Britain and all her dominions in the four quarters of the globe."

Such are the desperate, curious no tions of Mr. Pickering, relative to the question on the law of nations arising from the late engagement, and they are the only ones contained in his voluminous communications, which I intend to expose, my single object being to wipe off from the first pages of the history of our navy, the filth which the last degree of political wickedness and the extremity of faction spouts upon them. I shall not, however, take the useless trouble to refute the erroneous principles and the unsupported arguments set up by Mr. Pickering. It is unnecessary to make a regular attack a gainst enchanted castles and chimzras those deceptions will vanish and those phantoms disappear before the powerful lights which I shall borrow from the history, the laws and the statutes of England; from the law of nations, from existing treaties between neutral powers, and from the ordinances, rules and customs of maritime nations relative to the present case.

In matters of maritime affairs and dominion, Mr. Pickering ought certainly to receive as evidence those rules by which the political and judiciary system of Great-Britain have always been determined, and as they suit admirably our purpose, they must be heard.

The naval superiority of England has for several centuries excited her goverament to claim the jurisdiction of the seas which surround the British dominions. John Selden, a celebrated English civilian, author of the treatise, entitled, " De Dominio Maris," published in London, in 3 volumes, folio, in the year 1726, Reports, that under Edward the first, the sovereignty of England oyer the seas which surround her empire, was acknowledged by the majority of the powers of Europe, and by several of them used on the same principle as it was by England. The republic of Venice claimed the dominion of the Adriatic, and the famous marriage of her doges with that sea, which was performed by throwing into it a wedding ring, was merely an act of possession which was so far recognized that severat Kings of Hungary, Emperors of Germany and Kings of Naples have applied to that government to obtain the liberty of navigating that sea with their vessels. The Danes on the same principle continue to render all the nations going in or out of the Baltic their tributaries. The Swedes pretend also to the dominion of their seas. The Turks insist on the same right, and prohibit yet the passage of the Black sea, exder certain restrictions; and the Spa niards and the Portuguese, from the beginning of their settlements in America, have kept guarda costas un their coasts, to prevent indiscriminately all the veseels who had not special licenses from approaching them. In conformity to these prevailing opinions among several nations, James the 1st, in the year 1604; drew a line around the coasts of his dominions within which he declared that he should not suffer any power to pursue its enemies, nor even that any armed vessel should cruize or lay at anchor to watch the vessels of England or those of her friends, going in or com-

ing out of her ports. Charles the 2d, maintained by his proclamation, dated the 8th of February, 1667, the principles already established by his predecessors, and order-

seize all foreign vessels hovering and roving near his harbours or coasts with a view to hinder or divest the commerce, in order to bring the trespassers to condign punishment.

These principles have been confirmed and applied to the dominion of England in America by the treaty of peace and neutrality between the crowns of France and Great-Britain, concluded at London, November 16, 1635. By that instrument, called by the English civilians "the American treaty," both kings agree to retain themselves all the dominions, rights and pre-eminences in the American seas, roads, coasts and other waters whatsoever, in as full and amble manner as of right belongs to them; and they further stipulate, that the compliment of saluting shall be paid to the sovereignty of either within their waters.

By another American treaty between England and Spain, concluded at Madrid, July 8, 1670, the pre eminence, right and dominion whatsoever, of both parties, in the American seas, straits and waters, whatsoever, are saved by both parties in the most full and ample manner.

By the treaty of Westminster, 1673, the Dutch have acknowledged the preeminence of England on the Britin seas.

and have condescended to salute her flag. By the treaty of Whitehall, and by the treaty concluded at Stockholm, in 1720, the crowns of England and Sweden agree, respectively, to maintain their rights of pre-eminence and dominion within their seas and waters, whatsoever, and grant one another a salvo to the special regalities, rights and dominions of the crown of Sweden in the Baltic, and of the crown of Great Britain in the

British seas. Louis the XIV. of France was indignant at the pretension of England, to call British the seas which bathed his shores, ot suffer even that the chanbe called English. All his successors to the present time have inhaled the same abhorrence for that doctrine; but their opposition notwithstanding the British hydrographers continue to call British all the seas which they consider as belonging to the maritime dominion of Great Britain. It is then, an incontestible axiom of English law, that the sovereignty of England extends much beyond her coasts. The distance of that line is not precisely known.-Jean Bodin, a French civilian, in a treaty published in 1576, thinks that it was not less than 30 leagues; an opinion which was strengthened by the treaty of Westminster, wherein the Dutch condescend to salute the British flag, and recognize its pre-eminence from Cape Finisterre

to the middle point of the land Van Staatan, in Norway I find in no ancient diplomatic instrument, the extent of the navel dominion of England in America, which was certainly very ample according to the treaty of 1686. But the treaty of peace between the U. States of America and his Britannic Majesty, signed the 3d May 1783, has settled definitively that point between them, and him. By that memorable treaty, the king of Great Britain acknowledges these states, free, sovereign and independent; relinquishes to them all the claims of England to the propriety and territorial rights of them, and determines " that their eastern boundaries comprehend all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the boundaries between Nova Scotia on the one part, and East Florida on the other-shall respectively touch the bay of Fundy and the Atlantic ocean." It is probable, that in some parts, that line extends much further than twenty leagues. But by the most unequivocal implication; we certainly have an indisputable right to hold the land, covered or uncovered by water, at the distance of twenty leagues from any part of our shores, and to exercise on those premises (whenever we can)all the right of pre-eminence dominion and sovereignly which were exercised there on by the Kings of G. Britain-for no civilian will deny that as a nation is at liberty to give up her rights, another is also at liberty to acquire them, and that the first are bound to submit to their concestion, and the second to maintain themselves by force in possession of the advantages which they have obtained as gainst that nation particularly. Grotius reports several examples of that sort among which I shall note the renuncia-

tion made by the house of Austria in be-half of the English and Dutch, of the

right of sending vessels to the E. Indies.

neutrality and peace; on the contrary, [] ed his men of war to apprehend and [] Now if England, by her diplomacy, her [intellectual faculties, or private instant. laws, and more so by her power, has maintained her dominion and jurisdiction. over the seas which surround her empire and her colonies : If by the acquiescence of several states, her pretensions are become the law of nations, whenever she could enforce them, and if she has made to the United States an absolate cession of her rights and pre-eminence, within a line which includes the islands situate at the distances of twenty leagues from their shore-how can the conduct of a frigate which was protecting, agreeable to the ancient custom of the British navy, our maritime jurisdiction, be called unwarrantable? And how can the chastisement given to the subjects of England, who refused to acknowledge our pre-eminence on our seas, and who roubled our commerce, be called murder? The Little Belt was hovering and roving on our coasts with a number of other vessels of her nation, to snap the vessels of our friends and our own, under the most frivolous pretexts, and to kidnap our men. She was a perfect public nuisance, and as such, agreeable to a charge given at an admiralty sessions, held at the Old Bailey by sir Lionel Jenkins, she was not only liable to be chased, hailed and fired at, but also to be taken and fetch'd in as a malicious violator of our treaties, and a disturber of our trade, to answer and satisfy our damages. This is good English law, grounded on a right which England has never ceased to use over the weak and which having been transmitted to us unimpaired, is become American law and American right-and that right will not only be essential for the protection of our coasts and the safety of our commerce, when we awaken from our stupor, but it may also prove to be an immense source of wealth. It appears by several observations that the sea withdraws progressively from the shores of New Foundland, in consequence of which the fish favor more and more every day our coasts and bays, and in the course of time-it is more than probable that the Gulph Stream, filling up entirely the banks of New Foundland, the shores of the United States will offer the most valuable fisheries, which it will be her interest to secure, vi et armis.

> Let every patriot then confess that it is really a fortunate circumstance that Commodore Rodgers whether he acted by instruction, or by the native impulse of a noble sentiment of dignity, which no man who has not had to defend the honor and the interest of his country can feel in all its fervor-should have entered with the thunder of his cannon, such a gallant preservative protest a gainst the violation so often made by England herself, of a right which she has relinquished to the United States, without any restriction or reserve, and which forms an integral and unalienable part of our national sovereignty. I doubt whether congress, in a profound state of peace, could by a spontaneous act, unsolicited by any nation, and unimpelled by necessity, curtail gratuitously such an important dominion, which in reality seems to be a part of the local state sovereignties, over which the power alone of regulating commerce, and protecting the confederacy, has been delegated to the federal legislature; and it is to be regretted that unguarded official opinions should have been hastily emit-

ted on a subject of that magnitude. I have endeavored by these comments to establish the naval dominion and preeminence of the U. States, on strong diplomatic ground, and to convict of inconsistency and want of information, one of the warmest supporters of the British doctrine, on the whole extent of this immense continent. And I shall in another communication attempt to demonstrate by other public documents. and by the existing military laws and customs of the governments, who oppose to the pretensions of England the modern laws of nations, that independent of the natural and acquired rights which we hold against that power, the conduct of our frigate has been in every other respect, perfectly neutral, correct and honorable; that it does not evince the least appearance of any hostile Intention towards Great Britain, nor any projected war; that it would be derogatory to try by a court martial the proceedings of Commodore Rodgersand that the lucubrations of Mr. Pickering are an additional example of the facility with which a politician may confound himself in absurdities which would disgrace the tongue of an ideot, when party spirit and passion clog his tions enchain his mind.

Mr. Pickering having thought proper to sanction his writings with the authority of his name, I have been induced, to be fairly at issue with him, tho with less fame and talent, to sign also my comments, which are the result of my researches and studies in the department of foreign affairs of France, and of the observations which I have had an opportunity to collect during diplomatic missions at different courts of Lurope.

EDMOND CHARLES GENET, A Cuizen of New York Prospect Hill, Aug. 20.

North-Carolina

Treasury Office, Aug. 31, 1811. HE acknowledged faithfulness and punctuality of the Revenue Officers of the State ashresaid, for years past, would seem to supercede the necessity of resorting to the usual course of thus reminding those concerned, that the time fixed by law for paying the taxes and other public dues of the current year is now at hand. The Treasurer will therefore merely observe, that the laws which fix the time for accounting for the public taxes, &c. have explicitly defined the duties of the Revenue Officers and of the Public Treasurer. It would be superfluous to add, that those laws must be obeyed and that in case of failure, the penalties pointed out and provided by them will be nflicted, through judgments, forfeitures, &c.

JOHN HAYWOOD, Public Tressurer.

TO BE SOLD, ATRACTOFLAND

Situate on the Yadkin River, in Montgomery county, about 6 miles above the Narrows, ONTAINING about 1100 Acres, with

two excellent Fisheries on it, several Islands belonging to the Tract :- The Land is very well addpted 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 ReBERT PALMER, on the Premises. April, 1811.

State of North-Carolina, Mecklenburg County, August Term, 1811. Robert Porter,

James Porter, James Harrigan and wife, John Vauss & wife, Ebenezer Smith and wife. Petition for distributive share of the Real Estate

of Robert Porter, deceased. T having been made appear to the Court that James Harrigan and his wife Polly, John Vauss and his wife Susanna, Ebenezer Smith and Jane his wife, defendants in this petition, live without the limits of this State; It is therefore Ordered, that publication be made in the Raleigh Register for three weeks successively, that unless they appear at the next County Court to be held for the County of Mecklenburg, at the Court-house in Charlotte, on the fourth Monday in November next, and shew cause to the contrary, the prayer of the petition will be granted and a decree made accordingly. Test,

ISAAC ALEXANDER, C. M. C.

State of North Carolina, Mecklenburg County, August Term, 1811. Walter Faires,)

Samuel Wilson. Soriginal Attachment. T having been made appear to the Court that the defendant in suit reside the limits of this State, it is therefore Ordered, that notice be given in the Raleigh Register. for three weeks successively, that unless he appear at the next Court to be held for the County of Mecklenburg, at the Court-house in Charlotte, on the fourth Monday in November next, to answer, plead or replevy, judgment pro confesso will be taken and the cause heard ex parte against him.—Test,

ISAAC ALEKANDER, C. M. C.

State of North Carolina,

WARREN COUNTY Court of Pleas & Quarter Sessions - August Term, 1811.

Robert R. Johnson

Solomon Towns, Wm McMasters & Rebecca his wife, Gideon Towns, Hardy Towns, Herbert Towns and Nancy Towns.

Petition for Division of Lands.

T appearing satisfactorify to the Court, that Solomon Towns, one of the defendants in this case, is an inhabitant of the State of Georgia, and that Wm. McMasters and Rebecca his wife, are inhabitants of South-Carolina, and that Cideon Towns, an infant, is an inhabitant of Virginia; It is therefore Ordered, by the Court, that publication be made of this suit six weeks successively in the Raleigh Register, that unless the said Solomon Towns, Wm. McMasters and Rebecca his wife, and Gideon Towns, appear at the next County Court of Pleas and Quarter Sessions, to be held for the County of Warren, at the Court-house in Warrenton, on the fourth Monday in November next, and answer, plead or demur, the petition will be taken pro confesso, and heard ex parte as to them. Test,

26 Wm. GREEN, c c c.