

A DISPASSIONATE INQUIRY
 into the reasons alleged by Mr. Madison for declaring
 an offensive and ruinous War against Great-Bri-
 tain; together with some suggestions as to a peace-
 able and constitutional mode of averting that dread-
 ful calamity.

BY A NEW-ENGLAND FARMER.

(CONTINUED FROM OUR LAST.)

The first ground is, that France had not the power, did not possess the means of enforcing her decrees, that they were therefore to be considered a mere brum fulmen, an empty threat, and could not for that reason afford a reasonable excuse to Great-Britain for retaliating them, since she on the other hand could most effectually execute her countervailing orders.

The second ground is, that Britain set the first example by her order of May, 1806, and therefore was deprived of the plea of retaliation, and must be considered as the first aggressor.

The third is, that the United States never did submit to the French decrees, though they did not resist them—that they were not obliged to resist them, if incompatible with higher interests, of which they were the exclusive judges.

I believe that I have fairly stated all the objections to the British orders, and I shall proceed to give the plain answers of a New-England farmer to all the objections, premising however, that I discuss this question not for the purpose of defending Great-Britain, but of disseminating correct notions of the dispute between England and France, with the latter of whom our government have chosen to take sides.

As to the first objection to the British orders, the inability of France to execute her decrees, and therefore their innocent character, I would observe, first, that this rule would be the most vague, uncertain, and therefore unjust measure of right. It would be to adopt a principle which is never admitted in any other case either of morals or legislation—To measure the criminality of a deed by the power of the party to execute it, would be most unjust, capricious, and liable to the greatest uncertainty. If France, from the superior force and vigilance of her enemy, has been enabled to burn, sink, and destroy only fifty of our ships who have committed the deadly sin of trading with her enemy, and if this degree of weakness renders the French decrees legitimate, or least innocent, pray will any of the statesmen who condemn Great-Britain on this ground, give us the arithmetical rule by which we are to know when such outrageous violations of national law become the fair subject of retaliation?

Suppose, instead of the existing inequality as to naval power, France was able to keep a flying fleet of burning ships constantly on the ocean, and in place of fifty, she should burn five hundred ships a year for the enormous transgression of selling their surplus produce to the excommunicated English nation, would this vary the question of right; In the latter case, it is obvious that neutrals would be deterred from supplying Great-Britain, and she would most essentially suffer. But can her rights depend upon so loose and vague a criterion? Do any rights repose upon so varying and shifting a foundation?

Great-Britain reasoned, as all men of prudence reason: "This is a novel and most enormous pretension—this is no less than an avowed attempt to shut me out of the pale of civilized nations. She adopted the prudent maxim, *Obsta principiis*, oppose the first inroad on my rights." And I would ask, where is the judicious and honest statesman, who will point out the precise mark at which she ought to have acted? Ought she to have waited until the evil was brought home to her doors, until her deserted ports and ruined commerce would warn her that her case was without remedy?

France, from the commencement and until the present time, has executed her decrees to the utmost extent of her power, and she at this moment boasts of their wisdom and efficacy in humbling and enfeebling her enemy, and still confides in their sufficiency to destroy him.

But this is only one answer, though I think a satisfactory one to this objection. Bonaparte had two distinct modes of enforcing his decrees; one of them was limited by his naval power, the other had its full operation on the continent. If he had confined his decrees to his own territory, still Great-Britain would have had a right to complain and to retaliate. Nations have an undoubted right to stipulate the terms upon which foreigners shall visit their country; but if, under color of this right, they should make an entire revolution in the code of international law, if in place of those prudent maxims of general policy which nations sometimes adopt, they should substitute a novel and monstrous system, injurious to all free commerce, should throw us back to the measures of dark and uncivilized ages, with the avowed purpose of destroying their enemy, not only that enemy and all civilized states have a right to complain, but are bound to resist.

Bonaparte did this—he declared, not simply that he would not suffer British goods to enter his country, but that any neutral ship, which should in any former voyage subsequent to his decree have been concerned in trading with Great-Britain, should be denationalized, and for that cause should be confiscated if ever she should enter his ports. Is this a mere municipal regulation? Suppose Great-Britain had submitted to it—In ten years her trade would have been destroyed, or at least materially affected.

This principle, more dreadful than the popish doctrine of excommunication, has been likened to the navigation acts of Great-Britain, acts which simply limit the importation of British products to British bottoms; but you may search the history of Algiers, Morocco

and Tunis in vain for any example of the extended tyranny and profligacy of the decrees of France.

Put then their operation on the ocean out of the question, take them as they now are admitted to be enforced, even by Mr. Madison, they are the most enormous violation of all neutral rights, and the greatest invasion on the principles of modern civilized nations which the world has ever seen.

Yet this operation of the decrees has been justified by Mr. Madison, though it is tenfold more injurious to us than all their possible effect on the ocean.

But Great-Britain, as well as America, had a still further right to complain of these decrees, and they have been most dreadfully enforced by the arms and influence of France, in Holland, Italy, Spain, Portugal, Prussia and Denmark. The captures in Denmark alone are more than five times as great in amount as all the captures under the British orders in council in the first four years of their operation. Would Denmark have issued an order for the capture of American ships laden with the produce of British Islands, without the instigation of France? We know she would not. There is an end then to the argument that France could not enforce her decrees, because she has done it in a most extensive and calamitous degree, and as we have before remarked, we cannot see that a robbery done upon the land in neutral states, is in any respect less a robbery or less atrocious, than if committed upon the ocean, which is a neutral highway for all nations.

We now proceed to the second reason alleged, why Great-Britain could not lawfully retaliate the injustice of France, and that is, that she by her blockade of May, 1806, became the first aggressor, and therefore is precluded from setting up the plea of retaliation.

This is the argument which assumes such a rhetorical and flourishing figure in the report of the committee on our foreign relations. This pretence may do very well for weak minds, and it is only fitted for such. Those of us who have memories and some knowledge of facts cannot be deceived by it. It is perhaps one of the most affrontive arguments that was ever thrown in the face of an intelligent people.

In the first place, we would observe, that the idea of the blockade of May, 1806, being a violation of our rights or an infringement of the law of nations, never made its appearance within our hemisphere, until July, 1810, more than four years after the said obnoxious order had been in full operation. Now it must have been a singular sort of invasion of our rights, which neither the fault-finding cabinet of France, nor the still more jealous and irritable council at Washington had for four years been able to discover. Yet such is the fact. I have formerly perused all the correspondence between our government and that of Great-Britain, and I do not recollect that this blockade ever formed a part of our complaints.

2dly, I distinctly recollect that when Mr. J. Q. Adams thought it necessary to defend the administration and to attack the orders in council, he did not dare trust himself on the modern plea of the British aggression of May, 1806, but he more prudently went backward, and rested the defence of France on the British adjudications in the war of 1756. There were among us some, who thought that he might as well have urged the invasion of France by Edward the Black Prince.

3dly, But what ought to set this question forever at rest, and to crimson the faces of our administration and committees, whenever they bring forward this argument, is this, that Mr. Monroe, our Minister then resident at St. James's, communicated this order with great satisfaction to our government, and expressed his conviction that it was a favorable measure, and indicative of the disposition of the British cabinet to conciliate this country.

In truth it was the measure of Mr. Fox, and was intended to give a proof to America of his disposition to reconcile, if possible, the commercial interests of America with the principles absolutely essential to the British power and existence. It is an order very singularly expressed, but it was understood and intended and executed in such a manner as to leave open all our trade with France and Holland, except such as the admitted principles of the law of nations forbade.

Lastly, with due submission to the honorable committee of Congress, I will venture to assert, from positive knowledge, that this blockade was as vigorously enforced, and as fully supported by actual investment, as the law of nations recognized by ourselves requires.

This, if it be true, (and every captain who entered the channel knows it was so,) (the President's assertion to the contrary notwithstanding,) puts an end to the whole question. For Great-Britain admits that if the blockade was not actual, it was illegal, but she contends it was actual, and the premiums at our insurance offices against vessels violating that blockade will prove that it was strictly within the modern definition, that is to say, that the "entry into the ports so blockaded was imminently dangerous."

I have one more remark to make on this subject of the order of May, 1806, and then I shall quit it. I believe the remark is new, at least I may claim the merit (if there is any) of being its author, and that is, that the idea of the blockade of May, 1806, having been a justifiable cause of the French decrees was for the first time suggested by our government through General Armstrong to France, in 1809. That cunning cabinet instantly seized the pretext, and from that moment, and never before, have pretended to justify their decrees on the order of May, 1806.

We shall shew hereafter why our government suggested this excuse to France, when we come to the proof that in all the proposals of accommodation made to Great-Britain certain conditions have been invariably annexed, which our cabinet had previously ascertained would be rejected and ought to be rejected by

Great-Britain. It would be improper to anticipate this part of the subject which deserves a separate consideration.

The last reason against the orders in council which I have heard urged is, that we did not submit to the Berlin and Milan decrees. Those decrees interdicted our trade with England, yet in despite of France we still traded with her, and as to any other mode of resistance we had not the means, or if we had, we were at liberty to choose our own time and manner of doing it.

To this I answer, that as to the British trade, we pursued it only because it was profitable, and not for the purpose of proving to France that we despised or opposed her decrees. So far were we from despising those decrees, it is a humiliating truth that France has unremittingly inflicted upon us the severest punishment for trading at all with Great-Britain, although we had narrowed that trade by our own laws in a manner that co-operated essentially with the designs of the French Government. She did this by arms, by the law of strength—we had adequate peaceable means of redress, or at least such as we have thought powerful against Great-Britain—we neglected to use them. If Great-Britain, notwithstanding this acquiescence, had no right to retaliate on France, because we might be incidentally though not intentionally injured, then it will follow that neutrals hereafter may be as partial as they please, and that the most unjust belligerent may always wound or possibly ruin his enemy through the sides of the neutral.

I have now finished my general remarks on the subject of the orders in council, and shall proceed with my observations on Mr. Madison's manifesto.

Mr. Madison, not satisfied with calling the orders in council a complicated and transcendent piece of injustice and an innovation, without taking the slightest notice of the prior French decrees which occasioned them, proceeds to declare, "that they have been moulded and managed as might best suit the political views of Great-Britain, her commercial jealousies, or the avidity of British cruisers;" thus intimating that her commercial jealousy of us, and a desire to satisfy the cupidity of her naval men, were among the prominent motives for the modifications which the decrees have undergone.

This is illiberal and unfounded. The orders in council have undergone no modification whatever since their date, except that of April, 1809. It was as well known to Mr. Madison when he wrote this charge, as it is to all the commercial world, that the modification of April, 1809, so far from tending to restrain our trade, opened to us the Baltic, the German Ocean, the French and Dutch foreign possessions, Spain, Portugal, and part of Italy. Could Great-Britain have been actuated by commercial jealousy in this measure? Yet it is the only change which has taken place in the orders in council. The same remark may be made as to the desire to gratify the avidity of her cruisers. Was it the way to effect this purpose to limit and restrain the orders in council to one quarter part of their original extent? Hints have often been thrown out in Congress, and by the President in his manifesto, that plunder was the main object of the British orders, and it has even been insinuated that Great-Britain has drawn a part of her subsistence from her captures of American property.

This slander may do for the ignorant back-woods-men of Kentucky, more ferocious than their savage neighbors; but mercantile men all know, that the orders in council were scarcely executed in a single instance till within the past year; and in an official return to Congress, it appeared that the amount of captures by the British was not half equal to those either of France or Denmark. But, says Mr Madison, and in this he is echoed by the committee of foreign relations, successive experiments were made to see if Great-Britain would repeal her orders in council, by offering to place her adversary exclusively under the operation of our restrictive system; nay, he adds encouragement was given to her "that a repeal of the orders in council would be followed by a war against France, unless she also should repeal her decrees."

(TO BE CONTINUED.)

LIST OF LETTERS

Remaining in the Post Office at Fredericton, 11th August, 1812.

WILLIAM BARCLAY, Mirimachi; James Bowland, do.; Mrs. Collins, do.; Samuel Carr, do.; James Ellis, do.; James Smith, do.; Capt. Alexander M'Donald, do.; Michael Young, do.; John Power, do.; William Ledden, do.; Angus Fraser, do.; Thomas Pinman, do.; William Fiddes, do.; John Taylor, do.; John English, do.; Capt. William Philip, do.; Archibald Matthews, do.; Simon Roberts, do.; Mr. Frost, do.; John Percival, do.; James Louder, do.; Thomas Purdie, do.; N. P. Olding, do.; George Simpson, 3, do.; Jabish Crowell, do.; Absolem Powell, Richibucto; Robert Blake, Tabbyantack; James Martin, Westmorland; Henry Kerby, Cumberland Point; Thomas Gaspi, 4, New-Brunswick; Lieutenant Abraham Corvett, do.; Samuel Lobden, Madam Kesaway; Robert Heart, do.; Moses Esty, Fredericton; Thomas Eastman, do.; Margaret Birchell, 2, do.; Mary Colberg, do.; Donald M'Kay, do.; Mr. Randle, do.; Daniel Lowmsberry, do.

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A. PHAIR, Postmaster.

CARDS.

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