

been recognized. On the other hand, his Majesty has been frequently pleased to declare, and more especially to the *Hanse towns*, that they shall continue to form the Fundamental laws of his Empire. We shall enter specially into this branch of the subject hereafter, and prove from Mr. Russell's letters to our own government that France has not, in any one case, mark it Mr. Grundy, — France has not in any one case in her courts, or by special decision of the Emperor, recognized the repeal of the *Berlin and Milan decrees*, so far as it respects the *high seas only*.

I shall, when I come to that branch of my subject, consider the distinction gratuitously set up by Mr. Madison and his party, in favor of French usurpation, between the municipal and external operations of the decrees;—but in this stage, it is sufficient to say, that according to Mr. Russell's letters, our own Charge d' Affaires, no one case of the several captures on the high seas, since November, 1810, under the *Berlin and Milan decrees*, has been tried and acquitted on the ground of the repeal of them.

But if France had repealed her decrees, what consideration would that have formed for such a dreadful pledge as Mr. Grundy says we have made? Were not those decrees illegal? Were they not violations of the laws of nations? Was not France bound to repeal them gratuitously? Could she exact of us not only the right to retain all the property illegally taken under them, but a pledge so dreadful as Mr. Grundy describes our existing act to be, or else the more dreadful evil of a war, in its nature indefinite and interminable?

What a noble policy has France pursued upon this plan? Her very injustice is made the pretext for the attainment of her ends! She had coaxed—she had flattered—she had invited—she had threatened us in vain;—we refused to be parties to the War. She even went so far as to declare War for us, and to say, that there should be no neutrals.

These measures were all unsuccessful, except so far as they went to reconcile men to her intended injustice. She then issued a general decree against all neutral trade:—This was an act of war against us as the only neutral nation.—She captured, and she seized, she condemned and placed the proceeds of our defenceless property into her *Caisse d'Amortissement*.

She finally repeals her decrees, as Mr. Grundy alleges, but which we deny;—still, for the present argument, be it admitted. She however retains all the plunder seized before the pretended repeal. And this, by a wise statesman of the plundered nation, is declared to create a pledge that we shall continue a ruinous and degrading law, or else enter into the war on the side of the robber!! In other words—that we should do the very thing for which the act of robbery was intended!—For much as Bonaparte loves plunder, men know little of his character if they suppose avarice his leading passion!—Much do they deceive themselves who suppose the robberies and injuries inflicted by the *Berlin and Milan decrees* were dictated by desire of gain.—No—He calculated, and it seems he calculated wisely, that the loss of commerce would reconcile us to a War, and he knew his strength, and his adroitness in being able to turn our resentment against his enemy. Even Mr. Grundy has fallen into the snare, though he declares that he does not know how he came there!!

But we call this patriotism!!! for a grave Legislator to tell an abused and ruined people, that the repeal or pretended repeal of unjust and unlawful edicts—simply the restoration of the law of nations as to us, though accompanied with the retention of the plunder before surprised, pledges us either to cut our own throats at home, or to go abroad and invite the Canadians to do the kindly office for us.—The Lord deliver our country from such patriotism!!

It may be said that this is an unfair statement of the argument; that no man could be so hardy and mad, as to contend, that the late return of France (if it had taken place) to her duty towards us, the bare performance of that which she ought never to have failed to perform, was a sufficient consideration for our keeping on a "ruinous and degrading" measure, or our joining France in the war; but it is contended that we are pledged to France by the statute of May, 1810, which declared that we would take off our act, as to the nation which should first yield, and keep it on as to the other.

That this is a solemn pledge, which we cannot redeem but by British blood or American "ruin and degradation."

This is reasoning in a circle.—If France would have no right to demand such horrible terms of us merely because she refrained from doing us further wrong, then she has no claim under the statute.

She has no claim under the statute, because if Congress would not be justified now in declaring war against Great-Britain, merely on the ground of the abandonment of unjust measures adopted by France against us, then the Congress of 1810 could have had no such right to pledge the nation.

She has no claim under the statute, because no Legislature has the power to bind its successors by a pledge which such successors declare to be "demoralizing, ruinous, and unjust."

She has no power to bind the nation, because if such power exists now, it may exist for twenty years, and it would imply a power on the part of one Congress to pledge the nation to its utter ruin; a power which neither our Constitution nor the principles of our Government admit.

If this doctrine be true, we derive no benefit from our frequent elections.—It would be in the power of one corrupt Legislature to bind their posterity to measures which their successors might think, as Mr. Grundy

does, are "demoralizing, ruinous, and degrading." But what we deem a sufficient answer, if all the arguments above urged should be deemed ineffectual is this—France cannot claim any supposed pledge under the statute of May, 1810, because she has never complied with the stipulations of that statute.

By that law, which we say was purely municipal, and which did not amount to any engagement on the part of the United States to either belligerent, but which we contend left us free to adopt the policy which any future Legislature might deem for our interest;—by that statute it was provided, that if either belligerent should so far revoke or modify its hostile edicts as that they should cease to violate our neutral rights, in that case, and in that alone, the law should cease to operate on the belligerent so revoking, and should continue to operate on the other.

Was this a pledge to a party which had done us wrong?—or was it a mere municipal regulation under the control of Congress? Surely it could be no pledge to either party, unless such party should do something more than barely forbear to do us future wrong.

So Mr. Madison construed it.—For he solemnly declared that unless "France should restore the property unjustly surprised in her ports prior to the passing of the act, he could not, that is he had not the power, to give effect to the act of Congress in favor of the nation so repealing her decrees."

Has France restored this property previously and so unjustly surprised?—NO.

Then there is no pledge—and the very honorable Mr. Grundy may justly wonder, how or by what means France has twisted the knot around our necks.

But this is not all:—France has never repealed her decrees:—She has not done it in any form known to the French laws:—She has not even promised so to do. The measures which she has adopted are only insults, new and additional insults to our country.—She has compelled us to be the first movers in the business of reconciliation. She has considered us as the delinquents towards her, and the few scattered, miserable instances of concession which she has made, are explicitly avowed to be not the effect of a voluntary return to justice on the part of France, but of our measures taken in concert against the common enemy. These things requires a special elucidation, which we shall give them. PACIFICUS.

THE ROYAL GAZETTE.

SAINT JOHN, MONDAY, FEBRUARY 3, 1812.

Arrived, Brig William, Capt. Garrison, from Kingston, with Rum and Sugar, to C. Calverley.

Brig Little Fox, Capt. Leavitt, Martinique, with Coffee, Sugar and Molasses to B. Gilbert & Son.

We are sorry to learn, that the Brig Avis, Captain White, of this port, has been wrecked near Liverpool. The Schooner Eliza, Adams, of and for St. John, N. B. was to leave Demerara 12th Dec.—Hal. Journal.

From HALIFAX, January 27.

The extensive work-shops of Messrs. Tulles, Pallister and M'Donald, and Mr. Scott, Cabinet Makers, and the house occupied by Mr. P. Rooke and Mr. S. Brandon, were on Thursday morning last destroyed by Fire. It was discovered at half-past four o'clock, bursting through the roof of that part of the building occupied by the former persons, and an alarm immediately given. The officers and troops of the Garrison—the officers and seamen of his Majesty's ships *Eolus* and *Tartarus*, and most of the inhabitants of the town, were soon on the spot, and the Dock-Yard, Ordnance, Artillery and Town Engines. The awful and destructive element raged with such fury that the above buildings soon fell to the ground, and the fire communicated to the dwelling-house and bakery of Mr. Liswell, adjoining northwardly, and to the house owned and occupied by Mr. Carver, adjoining southwardly; a considerable part of the former was then pulled down—the latter totally, and the fire here happily arrested.

We cannot too highly extol, nor the inhabitants of Halifax appreciate, the exertions of the army and navy (we will not particularise ranks) on this distressing occasion: they were every where useful; and indeed had the property of their kindred or friends been in danger, they could hardly have shewn greater anxiety, or made greater efforts, to save it.

The Firewards, as usual, were extremely active—and we seldom have seen the Engines which were employed, better worked.

The principal sufferers by this event, are Messrs. Tulles, Pallister and M'Donald, and Mr. Scott—honest, industrious artisans—and, though they have lost a large portion of their earnings, will no doubt receive from all classes of the Community additional encouragement to future exertion.

BRADFORD GILBERT & SON,
Have Received by the Brig *LITTLE FOX*, WILLIAM LEAVITT master, from MARTINIQUE,
SUGAR, MOLASSES, & COFFEE,
Which is now Landing, and will be Sold low for Cash.
Saint John, 3d February, 1812.

FOR SALE,

A Valuable FARM, within one mile of the Church in Sussex-Vale, containing 200 acres of Land, lately occupied by John Harrington—There is on said Farm, a good Dwelling House, a Barn, and an excellent Grist Mill, with 40 acres of Intervale, and 12 of cleared land.—For further particulars inquire of
JACOB SNYDER.
Sussex-Vale, 30th January, 1812.

BY THE HONORABLE
MARTIN HUNTER, Esquire,
PRESIDENT of His MAJESTY'S Council and
(L. S.) Commander in Chief of the Province of New-BRUNSWICK, &c. &c. &c.
MARTIN HUNTER.

A PROCLAMATION.

WHEREAS the GENERAL ASSEMBLY of this Province stands prorogued to the first TUESDAY in DECEMBER next; I have thought fit, by and with the advice of His MAJESTY'S Council, further to prorogue the said General Assembly, and the same is hereby prorogued to the first TUESDAY in FEBRUARY next ensuing; then to meet at FREDERICTON for the dispatch of Business.

GIVEN under my Hand and Seal at Fredericton, the Sixteenth Day of NOVEMBER, in the Year of our Lord One Thousand Eight Hundred and Eleven, and in the fifty second Year of His Majesty's Reign.

By the PRESIDENT'S Command,
JON. ODELL.

LIST OF LETTERS

Remaining in the Post-Office at Fredericton, 6th January, 1812.

WILLIAM BARCLAY, Mirimichi; Wm. Brown, do; Lewis Bigg, do; Patrick Cadagan, 2, do; Hugh M'Donald, do; Charles Duff, do; George Duncan, do; James M'Donald, do; Robert England, do; Philip Brymer, do; James Fraser, & Co. do; James Grant, 4, do; Alexander Greig, do; James Gray, do; William Gordon, do; Peter Gray, do; Lewis Hendry, 5, do; Andrew Kay, do; James Hamilton, do; James Inns, do; David M'Kessack, do; James Kidson, do; Hugh M'Kenzie, do; John M'Lellan, 3, do; James Lauden, 2, do; Henry Leavitt, do; John Laurie, do; Hugh Munro, do; Alexander Morrison, do; James Newland, do; John Price, do; John Percival, do; John Rein, do; John Robinson, 2, do; James Ray, do; Alexander Taylor, 5, do; John M'Tabish, do; Rev. Mr. Urquhart, do; Ann Raymond, Lisbon, Lincoln County; John Suston, Madam Keswick; Mary Cummings, do; Alexander Thomson, Cracks Point; Alexander Watson, Woodstock; Thomas Jones, Prince William; Samuel Joslin, 2, do; William Abernethe, Nashwalk; A. Clayton, do; Solomon Whitelock, Penynack; William Sinton, Hillsborough; George Colpits, do; Abel Beardslie, County of Kings; Stephen Peabody, Sunbury County; James Robertson, Betchibucto; Abel Easty, 2, Fredericton; Oliver Bradley, do; Daniel Rivers, do; John Everett, King's Clear.

If the above are not called for by the 5th April next, they will be sent as Dead Letters to the General Post Office at Quebec. A. PHAIR, Post-Master.

ALL Persons having demands against the Estate of JOHN M'NEIL, late of Manguerville, deceased, are requested to present the same, duly attested, within Twelve Months from the date hereof; and those indebted to said Estate, are desired to make immediate payment to JAMES TAYLOR, Administrator. Manguerville, 30th January, 1812.

FOR SALE,

A NEW MILCH COW.

January 23. Enquire of the Printers.

For Sale at the CITY MILLS,

If applied for immediately,

A Lot of between 60 and 70 Barrels of PICKLED FISH in prime shipping order, consisting of Herrings, Gaspereaux and Salmon. PORTLAND, 16th DECEMBER, 1811.

JOHN ROBINSON,

Has Received by the Ship *OCEAN*, from LONDON, A GENERAL SUPPLY OF GOODS, Suitable for the Season, which he is now opening for Sale on reasonable terms. *Saint John, 20th May, 1811.*

JUST RECEIVED

By the Schooner *Messenger* from Berbee, a consignment of 48 casks and 45 bags COFFEE, containing about 40,000 lbs. which will be sold on reasonable terms by JOHN ROBINSON. *Saint John, 10th June, 1811.*

SAMUEL WIGGINS,

Has Received by the Ship *WILLIAM*, Capt. BAIRD, from LIVERPOOL, AN ASSORTMENT OF British Merchandize, Suitable for the Season, which will be Sold on very liberal terms for good payment. *Saint John, 6th November, 1811.*

ALL those to whom the late Major-General BALFOUR stands indebted, are requested to send their accounts properly vouched to the Subscriber at Fredericton, before the First of January next, or as soon after as possible. GEORGE EVATT, Administrator. Fredericton, 11th December, 1811.

BOARDING and LODGING.

THE SUBSCRIBER begs leave to inform his Friends and the Public, that he has opened a genteel Boarding and Lodging House in King's street, where every attention will be paid to those who may encourage his undertaking.

CHARLES M'PHERSON,
St. John, 6th June, 1811.

* The case of the *Star*, owned by Mr. PRINCE, is no exception, because she was bound to Naples, and not a British port.