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MR. MADISON'S WAR.

A DISPASSIONATE INQUIRY

Into the reasons alleged by Mr. Madison for declaring an offensive and ruinous War against Great-Britain; together with some suggestions as to a peaceable and constitutional mode of averting that dreadful calamity.

BY A NEW-ENGLAND FARMER.
(CONTINUED FROM OUR LAST.)

Much is said by Mr. Madison of the severities of the British discipline, and of the hardships of our seamen being compelled to serve in distant climes and to be the melancholy instruments of taking away the lives of their fellow citizens. This is very pretty rhetoric; but still it is well known, that great numbers of our citizens voluntarily enter into the British marine service, and not unfrequently augment the mass of those who complain of having been forced into British employ.

But, says Mr. Madison, against this "crying enormity the United States have exhausted in vain remonstrances and expostulations, and they have offered to enter into arrangements, which could not be rejected if the recovery of British subjects were the sole and real object—But the communication passed without effect."

This sentence, if it has any meaning, was intended to convey to the people the idea that Britain, besides the reclaiming of her own seamen, had an ulterior and further object which can be no other than strengthening her marine by the impressment of our seamen.—Now there never was a more unfounded suggestion, and Mr. Madison had in his possession the documents to satisfy him of it.

The whole number of sailors pretended to have been impressed from our ships for 15 years past was 6258, out of 70,000, and of which all but 1500 have been restored: Of this remainder, at least, one half are probably British seamen, and of the residue it is probable that at least another moiety entered voluntarily. It appears however from the returns that not more than 1500 seamen, including British subjects with fraudulent American protections, were at any one moment in British employ.

The whole number of British seamen in their marine, or public ships only, is 150,000 and in their merchant ships, over whom they have a perfect control 240,000. Is it probable, we ask, that for the sake of gaining 1500 seamen; they would hazard the peace of their country? It must then be that the reason why they insist upon this right, is, that they would wish to check the disposition of their own seamen to enter into our service, of whom, it is admitted on all hands we have at least from 30 to 50,000.

But says Mr. Madison, our proposition to arrange this affair on reasonable terms passed without notice.

This is a most unfounded assertion—It is a fact that both during the embassy of Mr. King and of Mr. Munroe, the British government manifested a disposition to arrange this dispute in a manner satisfactory to both countries.

And Mr. Munroe, explicitly states, that Lords Holland and Auckland had proposed to him the basis of an arrangement which they were ready to make on that subject, and which he believed would be satisfactory to the two countries.

On this point then, Mr. Madison's representations are extremely unfair and unreasonable.

Such is the true and well known picture of the question of impressment, which Mr. Madison presents in the fore ground, as if it was of primary importance and the principal cause of the late declaration of war.

Yet this evil such as it is, is of seventeen years duration and was much more extensive in its actual operation when the illustrious Washington signed and ratified Mr. Jay's treaty, than it is now.

We do not however mean to leave the question here—If the war is undertaken on this ground, it must be for the relief of the American seamen. Three fourths of them are citizens of New-England and New-York. Yet we find that the people of these states are the most averse to the war, the least clamorous on the subject of these impressments—This ought at least to create our surprise, and this astonishment will be heightened when we know that all this sensibility proceeds from men who perhaps never saw a seaman, whose States furnish none, who have done every thing in their power, by embargo and non-intercourse, to impoverish those very seamen for whom they profess so tender a concern.

Lastly, this prominent cause of war strikes us with the greater astonishment, inasmuch as we know that its first, its certain, its inevitable effects will be to drive out of the country three quarters of all our native seamen, to compel them to enter into the service of our enemy, and to fight in those very ships, and against

those very brethren and to incur those same calamities which Mr. Madison with apparent distress pretends to deplore.

It is indeed an extraordinary spectacle to find so disinterested a concern for commercial and nautical men on the lips, I will not say in the hearts, of our rulers, and at the same time so universal a detestation, so cordial an execration of these kind, affectionate and sympathetic measures in the breasts of those who alone are pretended to be the objects of this kindness.

For my own part, I consider it a mockery of the sufferings of the merchants and the sailors for the known and avowed enemies of commerce and of seafaring men, to wage an unnecessary and destructive war, a war ruinous to commerce and to navigation, under the pretence of supporting the commercial rights and of vindicating the wrongs of the merchants and sailors. The merchants and sailors however are not deceived by such pretensions—They know the deep hostility of the men who propose such steps to all commercial prosperity, and they consider these measures as resulting rather from an ill judged contempt of their opinions and a disregard of their sufferings than from any sincere disposition to afford them redress, a redress which they know and the administration well understand can never be obtained, but will be prevented by the declaration of war against Great-Britain, a measure fatal to the eastern and navigating states.

I shall pass over at present the complaint of Mr. Madison of the practice of British ships of hovering on our coast, and the exaggerated picture which he gives of the evils which have resulted from that practice—I shall however resume that subject when I come to the point of the exclusion of British ships of war from our waters, at the same time that we gave protection to French cruisers, and permitted them to arm in our ports, and to make hostile excursions from our territory, not only against the British trade, but against our own defenceless commerce.

I rather prefer to discuss the principal point of dispute between the two nations, the obnoxious and much decried orders in council—the same course will be pursued on this point as was taken with respect to impressments—I shall first trace the history and ground of those orders before I consider the distorted picture which Mr. Madison and the committee of Congress give of them.

First then, let me remark, that in December 1807, when the orders in council were first known in this country, they were received by both parties without surprize or emotion. The natural sense of justice which all men felt, before their passions were enlisted against them, made every man acknowledge and in some degree acquiesce in the justice and propriety of that retaliation which Great-Britain at a late day and with visible reluctance adopted.

Even the administration themselves in their early discussions with Great-Britain on the subject had not got their cue, had not learned that it was to become so prolific a topic of complaint. The merchants soon accommodated themselves to this new state of things, and justly attributed to the anti-commercial and tyrannical principles of Bonaparte the partial and comparatively unimportant restrictions on their trade, and it may safely be affirmed and indeed proved from official documents, that if our administration had not entered into Bonaparte's continental system, if they had not co-operated with him by permanent embargoes, non-intercourse, and non-importation, our trade would scarcely have felt any considerable check to its wonted prosperity.

It may especially be remarked, that the federal party generally, in the first instance acknowledged the justice and indeed moderation of Great-Britain in relation to her retaliatory orders, not only in her delaying to issue them for twelve months after she had given formal notice of her intention so to do in case her enemy should persevere in enforcing them, and in submitting to them, but also in refraining from giving to them the enormous, unjust and unparalleled extent which France had given to her decrees.

The clamors of the partisans of France, the dread of popular resentment has to be sure made some few federalists since waver, and we have seen with no small surprize, that as in the case of the British treaty so unjustly condemned, some of our political friends have been treasuring up sources of future regret and have been strengthening, without intention, the hands of their opponents.

It is my design to consider this subject from its foundation, and if men are disposed to censure, let them at least read, and see if they can answer in their closets the arguments—Let them divest themselves of their national prejudices and view this question as some future Grotius, Puffendorf or Bynkershoek would examine it.

I take it to be a conceded principle that belligerent

rights are in their nature paramount to those of neutrals, precisely because the one is contending for his existence, the other merely for his convenience, his accommodation or his profit. A man who is drowning would be fully justified in seizing hold of the garment of another, although at the risk of soiling its beauty or disturbing its arrangement.

On what other principle is it, that a belligerent has a right to seize the property of a neutral going to a blockaded port? or to confiscate articles the actual property of a neutral, being contraband of war, going to the relief of an enemy? The right of the neutral is here undoubted—It was a perfect right in time of peace, yet by the universal consent of nations this right is surrendered to the superior claims and necessities of belligerents. Before the invention of cannon it could not have been unlawful to have carried an iron tube, yet since that has been converted into an instrument of warfare it has become a violation of belligerent rights.

It must then be conceded, that if a state of things should arrive or happen in which the trade of a neutral with one belligerent should be absolutely incompatible with the prosecution of the war on the part of the other belligerent, he would have as much right to interdict it as to prohibit relief to a besieged place, and if the case could be conceived that the interdiction of such neutral trade would be a more effectual means of reducing an enemy than the taking of a besieged place, the right to prohibit such trade would be a still higher one than that of prohibiting the entry into a blockaded or besieged fortress.

Another point is equally clear, that it is the duty of a neutral to treat both belligerents with equal favor, and even if, through weakness he suffers one to take an advantage of him to the injury of the other, however hard the doctrine, it is nevertheless true, that the other has a perfect right to take the same liberty if it be necessary to his security.

Thus for example, if one belligerent should be suffered by the United States to seize and fortify Castle William, in the harbor of Boston, and should make it a rendezvous from which to annoy his enemy, the other has a perfect right to seize Governor's Island, in order to counteract the efforts of his enemy.

To apply this doctrine to the orders in council—When Bonaparte issued his decree at Berlin, Denmark, Prussia, Hamburg and Holland, were at least nominally, and of right by treaty, free and independent States—we had a right to trade with them in British goods—we did in fact carry on a vast and profitable trade with them as we lawfully might—but Bonaparte marched forces into these countries who were our friends, and compelled them by arms to refuse us this trade. This was a wrong done to us in two views—First, because it was a general injury done to all free States, and by the law of nations we had a right to complain of it.—Secondly, because it deprived us of a most valuable branch of trade, the very trade about which we had before been quarrelling with Great-Britain—I mean the carrying trade. We had therefore a right to complain on our own account.

But, thirdly, it was a serious injury to Great-Britain—so serious, that Bonaparte boasts in his Senatus Consultum, of the 16th March last, that it will finally destroy her.

In fact, it was both intended and avowed as a hostile measure aimed at her existence.

Great-Britain called upon us to resist it—we had a right so to do, as I have shewn, because it was an injury to us—she had a right to require us so to do because it was an injury to her through our rights.

What said our cabinet? Why, it is a mere municipal right—it does not belong to us to resent it. France may do what she pleases on the continent, if she lets us alone on the ocean.

Is this true? Is this the law of nations? Can France march armies into every neutral and peaceful State with whom we have commercial connections? Can she say to Spain and Portugal, you shall not take American flour, or cod-fish, or sugar, or coffee? Can she say this to Holland and Hamburg, or rather could she have done it before the ANNEXATION of them to France, when they were as much sovereign and more independent of her than we are, and shall her enemy not be permitted to say, you shall not trade with France?

Is it an offence on the ocean to use force to forbid a neutral from trading with your enemy, and can you lawfully march an army into a foreign country and forbid a neutral from trading with his old friend who is not the enemy of the belligerent? I confess I cannot see a stronger case than this, of the right of Great-Britain to retaliate her enemy's injustice on himself. Although all men admit the injustice and the tyrannical character of the French decrees of Berlin and Milan, yet the right of Great-Britain to retaliate this injus-