

IMPORTANT NEWS FROM EUROPE.

Manifesto against America.

From the LONDON GAZETTE, January 9, 1813.

The earnest endeavours of the Prince Regent to preserve the relations of peace and amity with the United States of America having unfortunately failed, His Royal Highness, acting in the name and on the behalf of His Majesty, deems it proper publicly to declare the causes, and origin of the war, in which the government of the United States has compelled him to engage.

No desire of conquest, or other ordinary motives of aggression, has been, or can be, with any colour of reason, in this case, imputed to Great-Britain: that her commercial interests were on the side of peace, if war could have been avoided, without the sacrifice of her maritime rights or without an injurious submission to France, is a truth which the American Government will not deny.

His Royal Highness does not however mean to rest on the favorable presumption to which he is entitled. He is prepared by an exposition of the circumstances which have led to the present war, to show that Great-Britain has throughout acted towards the United States of America with a spirit of amity, forbearance and conciliation; and to demonstrate the inadmissible nature of those pretensions, which have at length unhappily involved the two countries in war.

It is well known to the world, that it has been the inviolable object of the Ruler of France to destroy the power and independence of the British empire, as the chief obstacle to the accomplishment of his ambitious designs.

He first contemplated the possibility of assembling such a naval force in the Channel, as, combined with a numerous flotilla, should enable him to disembark in England an army sufficient, in his conception, to subjugate this country; and through the conquest of Great-Britain, he would realize his views of universal empire.

By the adoption of a judicious and provident system of internal defence, and of the valor of His Majesty's fleets and armies, this design was entirely frustrated; and the naval force of France, after the most signal defeats, was compelled to retire from the ocean.

An attempt was then made to effectuate the same purpose by other means; a system was brought forward, by which the Ruler of France hoped to annihilate the commerce of Great-Britain; to shake her public Credit, and to destroy her Revenue; to render useless her maritime superiority, and so to avail himself of his continental ascendancy, as to constitute himself in a great measure the arbiter of the ocean, notwithstanding the destruction of his fleets.

With this view, by the Decree of Berlin, followed by that of Milan, he declared the British territories to be in a state of blockade; and that all commerce or even correspondence with Great-Britain was prohibited. He decreed that every vessel and cargo, which had entered, or was found proceeding to a British port, or which, under any circumstances, had been visited by a British ship of war, should be lawful prize; he declared all British goods and produce, wherever found, and however acquired, whether coming from the mother country or from her colonies, subject to confiscation; he further declared to be denationalized, the flag of all neutral ships that should be found offending against these his Decrees; and he gave to this project of universal tyranny, the name of the Continental System.

For these attempts to ruin the commerce of Great-Britain, by means subversive of the dearest rights of neutral nations, France endeavored in vain to tell her justification upon the previous conduct of His Majesty's Government.

Under circumstances of unparalleled provocation, His Majesty had abstained from any measure which the ordinary rules of the Law of Nations did not fully warrant. Never was the maritime superiority of a belligerent more complete and decided. Never was the opposite belligerent so formidably dangerous in his power, and in his policy, to the liberties of all other nations. France had already trampled so openly and systematically on the most sacred rights of Neutral Powers, as might well have justified the placing her out of the pale of civilized nations. Yet in this extreme case, Great-Britain had so used her naval ascendancy, that her enemy could find no just cause of complaint; and in order to give to these lawless decrees the appearance of retaliation, the Ruler of France was obliged to advance principles of maritime law unfashioned by any other authority than his own arbitrary will.

The pretext for these Decrees, were, first, that Great-Britain had exercised the rights of war against private persons, their ships and goods; as if the only object of legitimate hostility on the ocean were the public property of a state, or as if the edicts and the courts of France itself had not at all times enforced this right with peculiar rigor; secondly, that the British orders of blockade, instead of being confined to fortified towns, had, as France asserted, been unlawfully extended to commercial towns and ports, and to the mouths of rivers; and thirdly, that they had been applied to places, and to coasts, which neither were nor could be actually blockaded. The last of these charges is not founded on fact; whilst the others, even by the admission of the American government, are utterly groundless in point of law.

Against these Decrees, His Majesty protested and appealed; he called upon the United States to assert their own rights, and to vindicate their independence, thus menaced and attacked; and as France had declared, that she would confiscate every vessel that should touch in Great-Britain, or be visited by British ships of war, His Majesty, having previously issued the order of January, 1807, as an act of mitigated retaliation, was at length compelled, by the persevering violence of the enemy, and the continued acquiescence of neutral powers, to revisit upon France, in a more effectual manner, the measure of her own injustice; by declaring, in an Order in Council, bearing date the 11th Nov. 1807, that no neutral vessel should proceed to France, or to any of the countries to which, in obedience to the dictates of France, British commerce was excluded, without first touching at a port in Great-Britain or her dependencies. At the same time His Majesty intimated his readiness to repeal the Orders in Council whenever France

should rescind her decrees, and return to the accustomed principles of maritime warfare; and at a subsequent period, as a proof of His Majesty's sincere desire to accommodate, as far as possible, his defensive measures to the convenience of neutral powers, the operation of the Orders in Council was, by an Order issued in April, 1809, limited to a blockade of France, and of the countries subject to her immediate dominion.

Systems of violence, oppression, and tyranny, can never be suppressed, or even checked, if the power against which such injustice is exercised, be debarred from the right of full and adequate retaliation; or, if the measures of the retaliating power, are to be considered as matters of just offence to neutral nations, whilst the measures of original aggression and violence are to be tolerated with indifference, submission of complacency.

The Government of the United States did not fail to remonstrate against the Orders in Council of Great-Britain. Although they knew that these Orders would be revoked if the Decrees of France, which had occasioned them, were repealed, they resolved at the same moment to resist the conduct of both belligerents, instead of requiring France, in the first instance, to rescind her decrees. Apply most unjustly the same measure of resentment to the aggressor, and to the party aggrieved, they adopted measures of commercial resistance against both—a system of resistance which, however varied in the successive Acts of Embargo, Non-Intercourse, or Non-Importation, was evidently unequal in its operation; and principally levelled against the superior commerce and maritime power of Great-Britain.

The same partiality towards France was observable in their negotiations, as in their measures of alleged resistance.

Application was made to both Belligerents for a revocation of their respective edicts; but the terms in which they were made, were widely different.

Of France was required a revocation only of the Berlin and Milan decrees, although many other edicts, grossly violating the neutral commerce of the United States, had been promulgated by that power. No security was demanded; that the Berlin and Milan decrees, even if revoked should not under some other form be re-established; and a direct engagement was offered, that upon such revocation the American government would take part of the war against Great-Britain, if she did not immediately rescind her orders. Whereas no corresponding engagement was offered to Great-Britain, of whom it was required, not only that the Orders in Council should be repealed, but that no others of a similar nature should be issued, and that the blockade of May, 1806, should be abandoned.—This blockade, established and enforced according to accustomed practice, had not been objected to by the United States at the time it was issued. Its provisions were on the contrary represented by the American Minister resident in London at the time, to have been so framed, as to afford in his judgment a proof of the friendly disposition of the British Government towards the United States.

Great-Britain was thus called upon to abandon one of her most important maritime rights; by acknowledging the Orders of blockade in question to be one of the edicts which violated the commerce of the United States, although it had never been so considered in the previous negotiations; and although the President of the United States had recently consented to abrogate the Non-Intercourse Act, on the sole condition of the Orders in Council being revoked; thereby distinctly admitting these Orders to be the only edicts which fell within the contemplation of the law, under which he acted.

A proposition to hostile to Great-Britain could not but be proportionably encouraging to the pretensions of the enemy. As by thus alleging that the blockade of May, 1806, was illegal, the American Government virtually justified, so far as depended on them, the French Decrees.

After this proposition had been made, the French Minister of Foreign Affairs, if not in concert with government, at least in conformity with its views; in a despatch, dated the 5th of August, 1810, and addressed to the American Minister resident at Paris, stated that the Berlin and Milan Decrees were revoked, and that the operation would cease from the 1st day of November following, provided his Majesty would revoke his order in council, and renounce the new principles of blockade; or that the United States would cause their rights to be respected; meaning hereby that they would resist the retaliatory measures of G. B.

Although the repeal of the French Decrees thus announced was evidently contingent, either on concessions to be made by Great-Britain, (concessions to which it was obvious Great-Britain could never submit) or on measures to be adopted by the United States of America, the American President at once considered the repeal as a *fait accompli*. Under that pretence the Non-Importation Act was strictly enforced against Great-Britain, whilst the ships of war, and merchant ships of the enemy were received into the harbors of America.

The American Government, assuming the repeal of the French Decrees to be absolute and effectual, most unjustly required Great-Britain, in conformity to her declarations, to revoke her Orders in Council. The British Government denied that the repeal, which was announced in the letter of the French Minister for Foreign Affairs, was such as ought to satisfy Great-Britain; and in order to ascertain the true character of the measure adopted by France, the Government of the United States was called upon to produce the instrument, by which the alleged repeal of the French Decrees had been effected. If these Decrees were really revoked, such an instrument must exist, and no satisfactory reason could be given for withholding it.

At length, on the 21st May, 1812, and not before the American Minister in London did produce a copy, or at least what purported to be a copy of such an instrument.

It professed to bear date the 28th April, 1811, long subsequent to the despatch of the French Minister of Foreign Affairs of the 5th August, 1810, or even the day named therein, viz. the 1st of November following, when the operation of the French Decrees was to cease. This instrument expressly declared that these French Decrees were repealed in consequence of the American Legislature

having, by their Act of the 1st of March, 1811, provided that British ships and merchandize should be excluded from the ports and harbors of the United States.

By this instrument, the only document produced by America as a repeal of the French Decrees, it appears beyond a possibility of doubt or cavil, that the alleged repeal of the French Decrees was conditional, as Great-Britain had asserted; and not absolute or final, as had been maintained by America; that they were not repealed at the time they were stated to be repealed by the American Government; that they were not repealed in conformity with a proposition simultaneously made to both belligerents, but that in consequence of a previous act on the part of the American government, they were repealed in favor of one belligerent to the prejudice of the other, that the American government having adopted measures restrictive upon the commerce of both belligerents, in consequence of edicts issued by both, rescinded these measures as they affected that power which was the aggressor, whilst they put them in full operation against the party aggrieved; although the edicts of both powers continued in force; and lastly that they excluded the ships of war belonging to one belligerent, whilst they admitted into their ports and harbors the ships of war belonging to the other, in violation of one of the plainest and most essential duties of a neutral nation.

Although the instrument thus produced was by no means that general and unqualified revocation of the Berlin and Milan decrees, which Great-Britain had continually demanded, and had a full right to claim; and although this instrument, under all the circumstances of its appearance at that moment, for the first time, was open to the strongest suspicions of its authenticity; yet as the minister of the United States produced it, as purporting to be a copy of the instrument of revocation, the government of Great-Britain, desirous of reverting, if possible, to the ancient and accustomed principles of maritime war, determined upon revoking conditionally the Orders in Council. Accordingly, in the month of June last, his Royal Highness the Prince Regent was pleased to declare in Council, in the name and on the behalf of his Majesty, that the Orders in Council should be revoked as far as respected the ships and property of the United States from the first of August following. The revocation was to continue in force, provided the government of the United States should, within a time to be limited, repeal their restrictive laws against British commerce. His Majesty's minister in America was expressly ordered to declare to the government of the United States, that "this measure had been adopted by the Prince Regent in the earnest wish and hope, either that the government of France, by further relaxations of its system, might render perseverance on the part of Great-Britain in retaliatory measures unnecessary, or if this hope should prove delusive, that his Majesty's Government might be enabled, in the absence of all irritating and restrictive regulations on either side, to enter with the Government of the United States into amicable explanations, for the purpose of ascertaining whether, if the necessity of retaliatory measures should unfortunately continue to operate, the particular measures to be acted upon by Great-Britain could be rendered more acceptable to the American Government, than those hitherto pursued."

In order to provide for the contingency of a Declaration of War on the part of the United States previous to the arrival in America of the said Order of Revocation, instructions were sent to his Majesty's Minister Plenipotentiary accredited to the United States (the execution of which instructions, in consequence of the discontinuance of Mr. Foster's functions, were at a subsequent period entrusted to Admiral Sir John Borlase Warren) directing him to propose a cessation of hostilities, should they have commenced; and further to offer a simultaneous repeal of the Orders in Council on one side, and of the restrictive laws on British ships and commerce on the other.

They were also respectively empowered to acquaint the American government, in reply to any inquiries with respect to the blockade of May 1806, whilst the British government must continue to maintain its legality, "that in point of fact this particular blockade had been discontinued for a length of time, having been emerged in the general retaliatory blockade of the enemy's ports under the Orders in Council, and that His Majesty's government had no intention of recurring to this, or any other of the blockades of the enemy's ports, founded upon the ordinary and accustomed principles of Maritime Law, which were in force previous to the Orders in Council, without a new notice to Neutral Powers in the usual form."

The American government, before they received intimation of the course adopted by the British government, had in fact proceeded to the extreme measure of declaring war, and issuing "Letters of Marque," notwithstanding they were previously in possession of the Report of the French Minister for Foreign Affairs, of the 12th March 1812, promulgating anew the Berlin and Milan Decrees, as fundamental laws of the French Empire, under the false and extravagant pretext, that the monstrous principles therein contained were to be found in the treaty of Utrecht, and were therefore binding upon all states. From the penalties of this code no nation was to be exempt, which did not accept it only as the rule of its own conduct, but as a law, the observance of which, it was also required to enforce upon Great-Britain.

In a manifesto accompanying their declaration of hostilities, in addition to the former complaints against the Orders in Council, a long list of grievances was brought forward; some trivial in themselves, others which had been mutually adjusted, but none of them such as were never before alleged by the American Government to be grounds for war. As if to throw additional obstacles in the way of peace, the American Congress at the same time passed a law, prohibiting all intercourse with Great-Britain, of such a tenor, as deprived the executive government, according to the President's own construction of that act, of all power of restoring the relations of friendly intercourse between