

# MARYLAND GAZETTE.

THURSDAY, JUNE 25, 1812.

[No. 3415.]

[LXVIIIth YEAR.]

## MARYLAND GAZETTE.

ANNAPOLIS, THURSDAY, JUNE 25, 1812.

The Committee of Foreign Relations, to whom was referred the Message of the President of the United States of the 1st of June, 1812—

### REPORT—

That after the experience which the United States have had of the great injustice of the British government towards them, exemplified by many acts of violence and oppression, it will be more difficult to justify to the impartial world their patient forbearance, than the measure to which it has become necessary to resort, to avenge the wrongs, and vindicate the rights and honor of the nation. Your committee are happy to observe on a dispassionate review of the conduct of the United States, that they see in it no cause for cen-

sure. If a long forbearance under injuries ought ever to be considered a virtue in any nation it is one which peculiarly becomes the United States. No people ever had stronger motives to cherish peace; none have ever cherished it with greater sincerity and zeal.

But the period has now arrived, when the United States must support their character and station among the nations of the earth, or submit to the most shameful degradation.

Forbearance has ceased to be a virtue. War on the one side, and peace on the other, is a situation as ruinous as it is disgraceful. The mad ambition, the lust of power and commercial avarice of Great Britain, arrogating to herself the complete dominion of the Ocean and exercising over it an unbounded and lawless tyranny, have left to neutral nations an alternative only, between the base surrender of their rights, and a manly vindication of them. Happily for the U. States, their destiny, under the aid of Heaven is in their own hands. The crisis is formidable only by their love of peace. As soon as it becomes a duty to relinquish that situation, danger disappears. They have suffered no wrongs, they have received no insults, however great, for which they cannot obtain redress.

More than seven years have elapsed, since the commencement of this system of hostile aggression by the British government, on the rights and interest of the United States. The manner of its commencement was not less hostile than the spirit with which it has been prosecuted. The U. States have invariably done every thing in their power to preserve the relations of friendship with Great Britain. Of this disposition they gave a distinguished proof, at the moment when they were made the victims of an opposite policy. The wrongs of the last war had not been forgotten at the commencement of the present one. They warned us of dangers, against which it was sought to provide. As early as the year 1804, the Minister of the United States at London was instructed to invite the British government to enter into a negotiation on all the points on which a collision might arise between the two countries in the course of the war, and to propose to it an arrangement of their claims on fair & reasonable conditions. The invitation was accepted—A negotiation had commenced and was depending, and nothing had occurred to excite a doubt that it would terminate to the satisfaction of both the parties. It was at this time, and under these circumstances, that an attack was made, by surprise, on an important branch of the American commerce, which affected every part of the United States, and involving many of their citizens in ruin.

The commerce on which this attack was so unexpectedly made, was between the U. S. and the colonies of France, Spain, and other enemies of G. Britain. A commerce just in itself; sanctioned by the example of Great Britain in regard to the trade with her own colonies; a solemn act between the two governments in the last war; & sanctioned by the practice of the British government in the present war, more than two years having elapsed, without any interference with it.

The injustice of this attack could only be equalled by the absurdity of the pretext alleged for it. It was pretended by the British government, that in case of war, her enemy had no right to modify its colonial regulations, so as to mitigate the calamities of war to the inhabitants of its colonies. This pretension, peculiar to G. Britain, is utterly incompatible with the rights of the sovereignty in every independent state. If we recur to the well established and universally admitted law of nations, we shall find no sanction to it in that venerable code. The sovereignty of every state is co-extensive with its dominions, and cannot be abrogated, or curtailed in its rights, as to any part, except by conquest. Neutral nations have a right to trade to eve-

ry port of either belligerent, which is not legally blockaded; and in all articles which are not contraband of war. Such is the the absurdity of this pretension, that your committee are aware, especially after the able manner in which it has been heretofore refuted, and exposed, that they would offer an insult to the understanding of the House, if they enlarged on it, and if any thing could add to the high sense of the injustice of the British government in the transaction, it would be the contrast which her conduct exhibits in regard to this trade, and in regard to a similar trade by neutrals with her own colonies. It is known to the world, that G. Britain regulates her own trade, in war and in peace, at home and in her colonies, as she finds for her interests—that in war she relaxes the restraint of her colonial system in favor of the colonies, and that it never was suggested that she had a right to do it; or that a neutral in taking advantage of the relaxation, violated a belligerent right of her enemy. But with Great Britain every thing is lawful. It is only in a trade with her enemies that the U. S. can do wrong. With them all trade is unlawful.

In the year 1793 an attack was made by the British government on the same branch of our neutral trade, which had nearly involved the two countries in a war. That difference however was amicably accommodated. The pretension was withdrawn and reparation made to the U. S. for the losses which they had suffered by it. It was fair to infer from that arrangement that the commerce was deemed by the British government lawful, and that it would not be again disturbed.

Had the British government been resolved to contest this trade with neutrals, it was due to the character of the British nation that the decision should be made known to the government of the U. S. The existence of a negotiation which had been invited by our government, for the purpose of preventing differences, for the purpose of preventing differences, for the purpose of preventing differences, gave a strong claim to the notification, while it afforded the fairest opportunity for it. But a very different policy animated the then Cabinet of England. The liberal confidence and friendly overtures of the U. S. were then taken advantage of to enslave them. Steady to its purpose and inflexibly hostile to this country, the British government calmly looked forward to the moment, when it might give the most deadly wound to our interests. A trade just in itself, which was secured by so many strong and sacred pledges, was considered safe. Our citizens with their usual industry and enterprise had embarked in it a vast proportion of their shipping, and of their capital, which were at sea, under no other protection than the law of nations, and the confidence with which they relied in the justice and friendship of the British nation.

At this period the unexpected blow was given. Many of our vessels were seized, carried into port and condemned by a tribunal, which, while it professes to respect the law of nations, obeys the mandates of its own government. Hundreds of other vessels were driven from the ocean, and the trade itself in a great measure suppressed. The effect produced by this attack on the lawful commerce of the U. S. was such as might have been expected from a virtuous, independent and highly injured people. But one sentiment pervaded in the whole American nation. No local interests were regarded; no sordid motives felt. Without looking to the parts which suffered most, the invasion of our rights was considered a common cause, and from one extremity of our Union to the other, was heard the voice of an united people, calling on their government to avenge their wrongs, and vindicate the rights and honour of the country.

From this period the British government has gone on in a continued encroachment on the rights and interest of the United States, disregarding in its course; in many instances, obligations which have heretofore been held sacred by civilized nations.

In May, 1806, the whole coast of the continent from the Elbe to Brest inclusive, was declared to be in a state of blockade. By this act, the well established principles of the law of nations, principles which have served for ages as guides, and fixed the boundary between the rights to belligerents and neutrals, were violated. By the law of nations, as recognized by Great Britain herself, no blockade is lawful, unless it be sustained by the application of an adequate force, and that an adequate force was applied to the blockade in its full extent, ought not to be pretended. Whether Great Britain was able to maintain legally so extensive a blockade, considering the war in which she is engaged requiring such extensive naval operations, is a question which it is not necessary at this time to

examine. It is sufficient to be known, that such force was not applied, and this is evident from the terms of the blockade itself, by which, comparatively, an inconsiderable portion of the coast only was declared to be in a state of strict and rigorous blockade. The objection to the measure is not diminished by that circumstance. If the force was not applied, the blockade was unlawful from whatever cause the failure might proceed. The belligerent who institutes the blockade cannot absolve itself from the obligation to apply the force under any pretext whatever. For a belligerent to relax a blockade, which it could not maintain, it would be a refinement in injustice, not less insulting to the understanding than repugnant to the law of nations. To claim merit for the mitigation of an evil, which the party either had not the power or found it inconvenient to inflict, would be a new mode of encroaching on neutral rights. Your committee think it just to remark that this act of the British government does not appear to have been adopted in the sense in which it has been since construed. On consideration of all the circumstances attending the measure, and particularly the character of the distinguished statesman who announced it, we are persuaded that it was conceived in a spirit of conciliation and intended to lead to an accommodation of all differences between the United States and G. Britain. His death disappointed that hope, and the act has since become subservient to other purposes. It has been made by his successors a pretext for that vast system of usurpation, which has so long oppressed and harassed our commerce.

The next act of the British government which claims our attention is the order of council of January 7, 1807, by which neutral powers are prohibited trading from one port to another of France or her allies, or any other country with which G. Britain might not freely trade. By this order the pretension of England, heretofore claimed by every other power, to prohibit neutrals disposing of parts of their cargoes at different ports of the same enemy, is revived and with vast accumulation of injury. Every enemy, however great the number or distant from each other, is considered one, and the like trade even with powers at peace with England, who from motives of policy had excluded or restrained her commerce, was also prohibited. In this act the British government evidently declared that the measures, authorized by it could find no pretext in any belligerent right, none was urged. To prohibit the sale of our produce, consisting of innocent articles, at any port of a belligerent, not blockaded, to consider every belligerent as one, and subject neutrals to the same restraints with all, as if there was but one, were bold encroachments. But to restrain or in any manner interfere with our commerce with neutral nations with whom Great Britain was at peace, and against whom she had no justifiable cause of war, for the sole reason, that they refrained or excluded from their ports her commerce, was utterly incompatible with the pacific relations subsisting between the two countries.

We proceed to bring into view the British Order in Council of November 11th, 1807, which superseded every other order, and consummated that system of hostility on the commerce of the United States which has been since so steadily pursued. By this order all France and her allies and every other country at war with Great Britain, or with which she was not at war, from which the British flag was excluded and all the colonies of her enemies, were subjected to the same restrictions as if they were actually blockaded in the most strict and rigorous manner, and all trade in articles the produce and manufacture of the said countries and colonies and the vessels engaged in it were subject to capture and condemnation as lawful prize. To this order certain exceptions were made which we forbear to notice, because they were not adopted from a regard to neutral rights, but were dictated by policy to promote the commerce of England, and so far as they relate to neutral powers, were said to emanate from the clemency of the British government.

It would be superfluous in your committee to state, that by this order the British government declared direct and positive war against the U. States. The dominion of the ocean was completely usurped by it, all commerce forbidden and every flag driven from it, or subjected to capture and condemnation, which did not subvert the policy of the British government by paying it a tribute and failing under its sanction. From this period the U. S. have incurred the heaviest losses and most mortifying humiliations. They have borne the calamities of war without retorting them on its authors.

So far your committee has presented to the

view of the house the aggressions which have been committed under the authority of the British government on the commerce of the U. S. We will now proceed to other wrongs which have been still more severely felt. Among these is the impressement of our seamen, a practice which has been unceasingly maintained by G. Britain in the wars to which she has been a party since our revolution. Your committee cannot convey in adequate terms the deep sense which they entertain of the injustice and oppression of this proceeding. Under the pretext of impressing British seamen, our fellow-citizens are seized in British ports on the high seas, and in every other quarter to which the British power extends; are taken on board British men of war and compelled to serve there as British subjects. In this mode our citizens are wantonly snatched from their country and their families, deprived of their liberty and doomed to an ignominious and slavish bondage, compelled to fight the battles of a foreign country and often to perish in them. Our flag has given them no protection; it has been unceasingly violated and our vessels exposed to danger by the loss of the men taken from them. Your committee need not remark that while the practice is continued, it is impossible for the U. S. to consider themselves an independent nation. Every new case is a new proof of their degradation. Its continuance is the most unjustifiable because the U. States have repeatedly proposed to the British government an arrangement which would secure to it the control of its own people. An exemption of the citizens of the U. S. from this degrading oppression and their flag from violation, is all that they have fought.

The lawless waste of our trade and equally unlawful impressement of our seamen, have been much aggravated by the insults and indignities attending them. Under the pretext of blockading the harbours of France and her allies, British squadrons have been stationed on our coast, to watch and annoy our trade. To give effect to the blockade of European ports, the ports and harbours of the U. S. have been blockaded. In executing these orders of the British government or in obeying the spirit which was known to animate it, the commanders of these squadrons have encroached on our jurisdiction, seized our vessels, and carried into effect impressments within our limits, and done other acts of great injustice violence and oppression. The U. S. have seen with mingled indignation and surprise, that these acts, instead of procuring to the perpetrators the punishment due to unauthorized crimes have not failed to recommend them to the favour of their government.

Whether the British government has contributed by active measures to excite against us the hostility of the savage tribes on our frontier, your committee are not disposed to occupy much time in investigating. Certain indications of general notoriety may supply the place of authentic documents; tho' these have not been wanting to establish the fact in some instances. It is known that symptoms of British hostility towards the U. S. have never failed to produce corresponding symptoms among those tribes. It is also well known that on all such occasions, abundant supplies of the ordinary munitions of war have been afforded by the agents of British commercial companies, and even from British garrisons, with which they were enabled to commence that system of savage warfare on our frontiers, which has been at all times indiscriminate in its effect, on all ages, sexes and conditions, and so revolting to humanity.

Your committee would be much gratified if they could close here the detail of British wrongs, but it is their duty to recite another act of still greater malignity, than any of those which have been already brought to your view. The attempt to dismember our union and overthrow our excellent constitution, by a secret mission, the object of which was to foment discontents and to excite insurrection against the constituted authorities and laws of the nation, as lately disclosed by the agent employed in it, affords full proof that there is no bound to the hostility of the British government towards the U. States, nor is it however unjustifiable, which it would not commit to accomplish their ruin. This attempt excites the greater horror from the consideration that it was made while the U. S. and G. Britain were at peace, and an amicable negotiation was depending between them for the accommodation of their differences through public ministers regularly authorized for the purpose.

The U. S. have beheld with unexampled forbearance, this continued series of hostile encroachments on their rights and interests in the hope, that yielding to the force of

Excellency ROBERT BOWIE, Governor of Maryland, A PROCLAMATION.

WHEREAS it has been stated to me, that C. Mackall has lately lost two barrels of powder by fire, and that he has reason to believe that some wicked and evil disposed person has set fire to the same; and whereas it is highly important that all offenders should be brought to justice; I have thought proper to issue this my proclamation, and do hereby offer a reward of

**FIVE HUNDRED DOLLARS** to any person who shall discover and bring to the knowledge of the author or perpetrator of the crime; provided he, she or they, shall be brought to justice: And I do hereby empower you, in virtue of the powers vested in me by law, offer a full and free pardon to any person being an accomplice, who shall discover the perpetrator or perpetrators of the said crime on the aforesaid condition.

Under my hand and the seal of the State of Maryland, at the city of Annapolis, this fourteenth day of May, in the year of our Lord one thousand eight hundred and twelve.

ROBERT BOWIE, Excellency's command, NINIAN PINKNEY, Clerk of the Council.

That the foregoing proclamation was published twice in each week for the space of three weeks in the Maryland Gazette and Maryland Gazette at Annapolis, the Whig, Federal Gazette, American Sun at Baltimore; Bartlett's Patriot, Frederick-town; the Maryland Gazette, Hagar's-town; the National Intelligencer, and the Star, at Easton.

NINIAN PINKNEY, Clerk of the Council.

**Elizabeth Hurst,** the liberty of informing her friends and the public in general, that she has **AND FASHIONABLE BONNETS, NETS,** she is determined to sell on the most liberal terms for Cash. Annapolis, June 4, 1812.

**To the Voters** of Anne-Arundel County, and the City of Annapolis.

GENTLEMEN, More than seven years have elapsed, since the commencement of this system of hostile aggression by the British government, on the rights and interest of the United States. The manner of its commencement was not less hostile than the spirit with which it has been prosecuted. The U. States have invariably done every thing in their power to preserve the relations of friendship with Great Britain. Of this disposition they gave a distinguished proof, at the moment when they were made the victims of an opposite policy. The wrongs of the last war had not been forgotten at the commencement of the present one. They warned us of dangers, against which it was sought to provide. As early as the year 1804, the Minister of the United States at London was instructed to invite the British government to enter into a negotiation on all the points on which a collision might arise between the two countries in the course of the war, and to propose to it an arrangement of their claims on fair & reasonable conditions. The invitation was accepted—A negotiation had commenced and was depending, and nothing had occurred to excite a doubt that it would terminate to the satisfaction of both the parties. It was at this time, and under these circumstances, that an attack was made, by surprise, on an important branch of the American commerce, which affected every part of the United States, and involving many of their citizens in ruin. The commerce on which this attack was so unexpectedly made, was between the U. S. and the colonies of France, Spain, and other enemies of G. Britain. A commerce just in itself; sanctioned by the example of Great Britain in regard to the trade with her own colonies; a solemn act between the two governments in the last war; & sanctioned by the practice of the British government in the present war, more than two years having elapsed, without any interference with it. The injustice of this attack could only be equalled by the absurdity of the pretext alleged for it. It was pretended by the British government, that in case of war, her enemy had no right to modify its colonial regulations, so as to mitigate the calamities of war to the inhabitants of its colonies. This pretension, peculiar to G. Britain, is utterly incompatible with the rights of the sovereignty in every independent state. If we recur to the well established and universally admitted law of nations, we shall find no sanction to it in that venerable code. The sovereignty of every state is co-extensive with its dominions, and cannot be abrogated, or curtailed in its rights, as to any part, except by conquest. Neutral nations have a right to trade to eve-

NOTICE.

Subscriber having obtained from the court of Anne-Arundel County, an administration de bonis non, of the personal estate of Nicholas, late of the county aforesaid deceased, all persons having claims against the estate are requested to bring them in, proved and authenticated, so as to be returned to the court. And all those indebted in any manner indebted to the estate are hereby requested to make immediate payment to

LEWIS DUVALL, Adm'r. de bonis non.

1811.

NOTICE.

Subscriber having obtained letters of administration on the personal estate of Green, late of Anne-Arundel County, requests all persons having claims against the estate of the said deceased, to bring them in, proved and authenticated, for the purpose of being returned to the court, & all persons indebted to the said estate are hereby requested to make immediate payment.

WM. S. GREEN, Adm'r.

ANNAPOLIS:

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