

pretext. Those decrees were vain and empty denunciations in relation to England. The plain design of the British government was to deprive France of the benefits of external commerce, unless the profits of it were divided with herself. This was fully proved by the licence trade. Britain carries on the very trade she denies to neutrals, and having engrossed the whole to herself, she excludes neutrals from participation. No man was more disposed than himself to reprobate the wrong and injustice of the British government upon this subject. They resort to the French decrees to justify themselves, and though he considered them as no justification, yet our government in their conduct had admitted that the decrees placed us upon the same footing as to France as the orders did as to England, and required equal measures to both nations.

Our government have been pleased to say what he did not think at this time any man in the nation believed besides themselves. They have been pleased to say the decrees are repealed.

This is a fact, and asserted without any proof. The decrees could only be repealed by the same power and in the same manner in which they were enacted. They proceeded from the sovereign power of France, and became the laws of the empire. The same power in the solemn form of a law could alone revoke them. We possess the decrees in all the forms of law, but have never seen, has the government any reason to believe that any decree in the form of a law has been passed to repeal them?—The promise of a sovereign to repeal a law does not annul it, nor would a reference of his minister to its being repealed have that effect. Every sovereign power prescribes to itself a form in which its sovereign will shall be known, when it is to constitute a law of the land.

The decrees teach us what this form is in France, and we have no ground to believe that the decrees are repealed, till we see an act of the sovereign in the same form in which they are found. Such is the course among ourselves. A law is repealed by a law passed in the same form. It is the practice of every nation in Europe, and of every civilized nation on the earth. But even the promise to repeal was only conditional, and it has never been announced to us that the emperor considered the condition complied with on our part by prohibiting the importation of British produce and manufactures. In fact, daily accounts are received of seizures made on the principles of those decrees; and, to affirm that the decrees are repealed, was only to add perfidy to the atrocity of the conduct of the French, who do not hesitate to plunder, burn and destroy our property on the high seas, even after abandoning the pretence with which at first they were respectful enough to attempt to cover their violence.

Nothing could be more evident than the policy of the French emperor, nor any thing more mortifying than the success which has attended his juggling. He has contrived to satisfy our government that he has repealed his decrees, while to the eyes of the rest of the world, they appear to be in force. By these means he has opened our ports to the public and private ships of France, and shut them against those of G. Britain. He denies the evidence of the repeal of his decrees, which he well knows, if furnished to us, would immediately remove the orders in council, and facilitate the settlement of our differences with England. Britain has declared, that the moment evidence is produced of the repeal of the decrees, the orders in council shall *ipso facto* be annulled. The emperor instead of furnishing this evidence, is giving daily proofs, to our sorrow and loss, that the decrees are in force and operation.

I am among the last men in the senate, said Mr. B. who would justify or defend the orders in council. They violate the plainest rights of the nation. The ground of retaliation was never more than a pretext, and their plain object is to deprive France of neutral trade. It never was contended, nor does Britain now contend that she would be justified by the laws or usages of nations to interdict our commerce with her enemy. She covers her injustice with the cloak of retaliation, and insists that she has a right to retort upon her enemy the evils of his own policy. This is a doctrine to which I am not disposed to agree. It is destruction to neutrals—it

makes them the prey of the belligerents. It is a doctrine which we must resist, but the time and manner of resistance ought to be determined by a view only to our own interests. Because we are injured we certainly are not bound to make war before it is for our own benefit. There is one effect of this war which gentlemen ought to take into view, and which, to him was a source of grief and humiliation. In making war upon England we bring the force of the nation in aid of France. We are about to assist a government from whom we have suffered for years past the most humiliating insults and the most atrocious wrongs. We are about to make a common cause with a man who hates us for our language and despises us for our government, and who would to-morrow if he had the means, without seeking a pretence, add us to the list of his conquered provinces. This connexion should not be hastily formed. To other nations it has been the forerunner of their subjugation and ruin. Let us take time to consider the consequences of a step upon which the destiny of the nation depends. We may profit by delay, but can gain nothing by precipitancy. The war will not hastily remove the orders in council. It is the principles of the orders, rather than their effect of which we complain. The trade to France, which they interdict is of little consequence to the country. Its annual amount is less than three millions of dollars, and you find it operated with duties so excessive, and restricted to such articles of exchange, that even if enjoyed in safety, it would be productive of little profit to individuals or to the nation. If, however, you declare war at this time, you lose the trade to G. Britain and her dependencies, equal to 35 millions a year, without gaining the pittance trade with France. The laws of war will operate still more extensively than the orders in council; and though no doubt we shall gratify the emperor of France, we shall enjoy little commerce with his dominions. As it regards, therefore, our interest, it is found in protracting the present state of affairs.

From the Salem Gazette.

#### MR. PICKERING'S LETTERS. LETTER VII.

To the People of the United States.

WHAT PROSPECT IS THERE OF PEACE? Is a question frequently asked: and the obvious answer is, that our present rulers will not make peace, while they can obtain money by loans to carry on the war. A peace would defeat all the plans of injury and hostility towards G. Britain, and of the subserviency to, and co-operation with, the views of France, which have always distinguished the Jefferson-Madison administration. The explicit avowal of Mr. Jefferson "that he did not wish for any treaty with Great-Britain," accounts for all his fruitless negotiations with that country. The following statements will contribute to illustrate his principles and views.

The treaty of 1794, well known by the name of "Jay's treaty," besides making provision for putting an end to all the disputes which resulted from the war of our revolution, secured to the U. S. a prosperous commerce, and laid the foundation for long continued amity between G. Britain and the U. States; amity and commerce which, but for the pernicious views and projects of Thomas Jefferson, might have continued to this day. That treaty, after Mr. Jefferson became president, might have been renewed, or made the basis of a new one more advantageous, by the agency of the very able minister of the U. S. then in London—I mean Mr. King; who, appointed by Washington, for his approved fidelity and distinguished talents, also enjoyed the confidence of his country; and more than any other permanent minister from the U. S. had acquired the respect of the British government. A negotiation of a new treaty of amity and commerce conducted by such a minister, could hardly fail of success; and, without doubt, for that very reason, powers to negotiate such a treaty were purposely withheld; and at a time which Jefferson and Madison knew to be singularly propitious to obtain the most advantageous terms for the U. States; I mean in the short interval of peace between G. Britain and France; but when all things indicated a speedy renewal of the war—and which was renewed in 1803. At such a time, in order to secure the friendship, and enjoy the increasing commerce of the U. S. G. Britain would have accorded advantages much greater than under other circumstances were to be expected. Doubtless it was, because

Mr. King thus found, that under Mr. Jefferson's administration, he could render no material service to his country, he desired his recall.

But before Mr. King's return he did negotiate two treaties with G. Britain for two special objects. One, a treaty of boundaries, and particularly interesting to Massachusetts—was at first declared by Mr. Jefferson to be entirely satisfactory; tho' afterwards, through his influence in the senate, upon a flimsy objection to one article, to be excepted from his ratification—the ratification of the residue of the treaty by Great-Britain was defeated; as the senate were then assured would be the case. This treaty provided for a settlement of the eastern boundary of Massachusetts, where it joins the British Province of New-Brunswick, and Mr. Jefferson and the senate were informed, by the late governor Sullivan, then attorney-general of Massachusetts, of the great importance to that state of settling this boundary; because the two governments (Massachusetts and New-Brunswick) were making grants of adjoining lands, which, for want of such an adjustment, might occasion interferences and national disputes. But such considerations were disregarded.

The other treaty Mr. Jefferson was pleased to ratify. It was a treaty for paying, out of the treasury of the U. S. the debts which Virginian and other southern gentlemen had contracted with British merchants before the revolution.

By our treaty of peace, in 1781, with G. Britain, "It was agreed, that creditors on either side should meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts therefore contracted." But such impediments were thrown in the way of several of the states, but particularly in Virginia: In the northern and eastern states, the courts of law were open to British creditors, in cases where their American debtors failed to pay them—cases, I believe, which seldom occurred. It was otherwise in Virginia and other southern states. And these impediments were so long continued, that at length, deaths and insolvencies put it out of the power of the British creditors to recover their debts from many of the persons or estates of the debtors themselves. But this article in the treaty of peace was binding on the nation—the whole United States being responsible to other nations for the acts of every member of the union. Hence it became the indispensable duty of the U. S. to indemnify the British creditors in the cases above mentioned. Accordingly in Mr. Jay's treaty, it was stipulated, that where such debts could not be recovered in the ordinary course of justice, the U. S. should make full compensation for the same to the British creditors. And probably this stipulation contributed, in no small degree, to produce that violent opposition to Jay's treaty, for which Virginians were eminently conspicuous. While a sense of justice and good faith failed to enforce the payment of their debts, their pride was opposed to the payment of them by their neighbours and fellow-citizens of other states who had already paid their own debts. To conceal the obligation incumbent on the U. States, it was finally stipulated to pay to the British government, for the use of the British creditors, the sum of 600,000 pounds sterling—equal to two millions, six hundred and sixty-four thousand dollars; which the people of the northern and eastern states (for the public revenues are chiefly collected from thence) after paying their own debts due to British merchants before the revolution, have been compelled to pay for their delinquent fellow-citizens of the south!

Thus of three treaties negotiated with G. Britain under Mr. Jefferson's administration, (Mr. King's two above described, and the treaty of amity and commerce by Pinkney and Monroe) one only has been accepted and ratified—that which provided for paying at the public expense, the debts of his southern friends! These remarks refer only to delinquents among the people of the south: God forbid that they should receive a general application. I know that there are and always have been, in that portion of the union, great numbers alike distinguished for their talents, probity and honor, and to whom the policy and measures of Jefferson and Madison are equally abhorrent as to any citizens of the north.

If all Mr. Jefferson's tedious but abortive negotiations with G. Bri-

tain were examined, it would appear, that they proved abortive because they turned on points which it was impossible for G. Britain to yield, or were influenced by motives foreign to the true and substantial interests of the U. S.; interests with which those of G. B. are certainly compatible, or disputes & war must be everlasting; but perpetual war cannot be pronounced the necessary condition imposed on the two nations by the Benevolent Ruler of the universe.

The only remaining ground of the war explicitly avowed by Mr. Madison, respects the impressment of seamen—This subject until lately has not been well understood; for until lately, it has not been thoroughly investigated. It has now been demonstrated by a most distinguished, learned and excellent citizen, that the practice of taking their own seamen from neutral merchant vessels, has for more than a century been common to the nations of Europe, and especially to France, whose regulations are more rigorous than those of England. He has demonstrated, that this practice is founded on a perfect right—the right of every sovereign state to the service of its own subjects in time of war—which right our administration will not dare explicitly to deny. It is a right which G. B. acknowledges to belong to the U. S. as well as herself. And accordingly, the Prince Regent, in the name of the king of G. Britain, declares, in his late manifesto, that the armed vessels of the U. S. have the right, and may exercise it freely, to take American seamen found on board her merchant vessels as the British ships of war take British seamen found on board American merchant vessels. Here then the two nations are at issue. Each has a right to take their own seamen; and none to take those of the other. But having been one nation, children of the same family, they are liable to be mistaken one for the other; and when so mistaken, the perfect right abovementioned is infringed. How then is the interesting point to be determined? Only by compromise—and a compromise is the result of negotiation candidly and fairly conducted; and if Mr. Madison and his party continue the war, for this object, during the whole of his new term, and as long afterwards as any of them shall live, the dispute must end in a compromise at least, for the war cannot be interminable. While she consents to regulate the practice, to preserve the right of impressing her own seamen is essential to the safety and independence of G. Britain. Were our merchant vessels to be declared an asylum for British seamen—tempted by high wages, and to escape the dangers and sufferings of war, such numbers would resort to our flag, that a large portion of the British navy would be unmanned: and this, I have long been convinced, has been the real object of Mr. Jefferson from the commencement of his administration, tho' concealed from public view under the popular veil of extreme concern for the rights of American seamen. But intending, if my time will permit, to go into a full examination of this subject, I shall leave it for the present.

TIMOTHY PICKERING.  
March 31, 1813.

#### MARYLAND GAZETTE.

ANNAPOLIS, THURSDAY, APRIL 29.

The writer of the "Severn Planter" will excuse the omission of the closing sentences of his communication. We have thought it derogatory to the dignity of a public journal to notice so contemptible a miscreant as the person alluded to; our silent contempt is all that he can receive from us.

#### Polite treatment to Prisoners.

Whether the British are naturally of that savage and barbarous temper which has so frequently of late been stated, we leave those best acquainted with their history and character to judge. It is not our disposition to palliate their crimes, wherever they have been guilty of them, but we ought, from every consideration of justice, comply with that sage precept, in allowing even "the devil his due." Prisoners who have lately fallen into their hands, have generally spoken in high terms of the polite treatment and attention bestowed on them during their captivity. This is more particularly the case with Mr.

Jacob Gibson, than any that we yet heard of, and as there is something so remarkable in it it is not altogether unworthy of notice. It seems from his own acknowledgment that they were at Sharp's Island, and took, among other things, some cattle and sheep, which they paid him nearly double the price he could have obtained for them in market, and allowed him to make for his own particular use those he most highly valued. In addition to this, an Admiral gave him a certificate of protection against any future visit of a similar nature, as also a general permission to carry the produce of his land to market unmolested. Treatment of this sort to the generality of prisoners would not seem to wear the appearance of savageness and barbarism; and if the statement which we have heard is correct, we should not suppose that Mr. Gibson himself had any great reason to complain—Nay, on the contrary, he some cause or other he seems to have been a favourite with the admiral, and treated with uncommon civility.

Almost every prisoner that comes from the enemy's squadron gives a different account respecting the admiral's intention. Indeed, so various are the reports, that few if any of them are worthy a moment's consideration. The commander designed to make an attack on this, or any other place, it is not probable that he would make a prisoner acquainted with his intention. That they have in view some important object by coming up the bay in such numbers, is not at all unlikely, and to avoid a surprise it is necessary that every place which lies exposed, should be put in a good state of defence as circumstances will possibly admit of. Should an attack be made on us, not only patriotism, but pride, would induce every citizen to resist it "even unto death." But amid the heat and confusion of an engagement, if a moment could be spared for reflection, they could not avoid pouring out their maledictions against the authors of this destructive and wholly unnecessary war. Every day makes it assume a more hideous appearance, as its continuance is entirely without object.

It is stated, in a Norfolk paper, that information had been received at that place, that a reinforcement of nine sail of the enemy's vessels came into the Chesapeake on the evening of the 15th instant—If this be the fact, there is every reason to believe that preparations are making to distress the sea-board, in such way as to withdraw the American troops as much as possible from Canada.

Since the effects of war are brought to our door, we hear some of the *epiphonemata* of politicians, the disciples of administration, using a language respecting it very different from what they spoke early in its commencement. While it was thought that all its operations would be confined to Canada, and little else would be left us to do than to read accounts of the brilliant victories achieved by our gallant troops, it was all well enough; but being transferred to our own doors, it is not unfrequently the case, that murmurs now arise with those who patriotically pledged their support. It often happens, that men find it extremely difficult to see the approach of evil until sad experience has made them smartly feel. Such is the case in the present instance. Examples of individual distress, occasioned by the war, have been frequent, but now an appearance of calamity seems generally to pervade the country, and many have had the candour to acknowledge they were mistaken in the men whom they had elected for our rulers. Experience, it is said, is the best master, and it is devoutly to be wished that the lessons which may be inculcated by the present war, may produce a salutary change in the politics of our country.

The general government have made another requisition upon the executive of this state, to furnish 2000 conscripts for the defence of Baltimore. This is

in the French style of raising an army. For, while the regular forces are attached to the subjugation of a foreign country, the militia are left to protect, as far as possible, any intrusions of the enemy at home. Thus, while the treasury is squandered away in schemes of foreign conquest, the states are left to their own pecuniary resources, their own militia, for defence. They have a vain applied for that security which was the duty of government to furnish them. The burdens will fall upon the states, in as much as some are capable of being harassed to a degree than others—and the citizens of Maryland will soon find, that in paying to the taxes that will be imposed on them at the next session of congress they must be subjected to still greater exactions to meet the expenses of a war state, should the present situation of affairs continue for any considerable length of time.

Major Charles S. Ridgely has been appointed an Aid to his Excellency Governor.

#### COMMUNICATIONS.

Some days ago a party of men under the command of the brigadier general went up the River Severn to collect boats and carry them to Annapolis for the service of the military. In their party they went to a farm immediately on the river, where they found and possession of, an old boat, which was utterly unfit for service. The Overseer on the farm, represented to the general the condition of the boat, and the possibility of taking it away—However, he persisted in their design, and the boat has never yet been returned to the owner. It is also stated as a fact, after the party brought it off, such a leaky and shattered condition it was in, that it was necessary to call in a carpenter to mend it. In addition to this, the men who had the old overseer, called in and his employer British Tories, sent their bayonets at him, and of them exclaimed, "Hang the old fellow!" Not content with this, they threw him into the boat, and he fell him some distance down the river. He made him get out and wade to shore, although he was at the time in a peculiar situation from a violent stroke and had he caught cold the consequences most probably would have been fatal to his life. These are some of the fruits of war—Persons are not only harassed by being taken away from employment to do military duty, they are deprived of their property at the point of the bayonet, their property is plundered, and they abused and vilified. Similar scenes are now acting on frontiers—the public papers are filled with accounts of outrages like the above recounted. It is time for the people to attend to the consequences of this war—if it continues two years longer, the nation will be bankrupt, and its ultimate design will be visible to our citizens at its close, will be themselves beggars and slaves, deprived of their common rights, and unprotected either in person or property; a situation they must be reduced to, if they can have a master put over them.

#### MINERAL WATERS.

The establishment in this city for the manufacture of artesian mineral waters, must prove highly gratifying to our citizens. Independent of the medicinal qualities which these waters have been found to possess, and the pleasing hope that they will check, in a great measure, the use of ardent spirits, which it is lamentable to perceive, have of late been extended to our ranks which a high degree of delicacy ought to have preserved from the dire contagion. We can indulge the hope, that professed doctors will afford much encouragement to the new establishment, but we do not think that those whose tastes are depraved by the use of stimulants, will, when thirsty, gladly resort to an elegant, safe, and wholesome beverage, and thus escape temptation to fall into the deplorable habit of intoxication, whose deleterious effects are witnessed by many a suffering family.

The election for Managers of the Annapolis Mineral Water Company will close at the Fountain on Friday 20th April—All votes not then received will be considered as relinquished. Stockholders are hereby reminded, that the articles of association of the company require the payment of \$5 on each share, payable on Saturday 1st May, under penalty of forfeiture of the first instalment. By order of Commissioners.

#### No. I.

To the People of Anne Arundel County. The distressing situation of our country has impelled me, as one of the members under the bad administration of this state, to address to you, in a paper, some observations as to the consequences that must inevitably