NATIONAL INTELLIGENCER,

AND

WASHINGTON ADVERTISER.

VOL. VI. | WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. | No. DCCCCXXXIII.

FIVE DOLLARS PER ANNUM. | MONDAY, OCTOBER 6, 1806. | PAID IN ADVANCE.

FROM THE RICHMOND ENQUIRER.

Destruction of the Impeteux.

Is there a people in the universe who seem less acquainted with the laws of nations, or less disposed to practise them than the commanders of British ships of war? Reasoning therefore from their usual and insolent irregularities, we should not hesitate a single moment in the opinion, that the case of the Impeteux is but an additional instance of abuse and encroachment.—The men who could lay in wait for vessels within our own waters; the men who could murder one of our countrymen under the very protection of our limits; would not shrink from the act of burning an enemy's vessel within our sacred jurisdiction.

The Norfolk Herald, which details the statement of the French officers themselves, confirms this conclusion. It places the French frigate "*within a mile of the land.*" Now, whatever ambiguity there may be respecting the terms *shores* of *coasts*, there can be none as to the word here employed.—The word *land* can neither by logical refinement or by common use, be converted into a shoal or sand. It can mean nothing more or less than the *coast of an island* or of the *main land*.

Admitting this supposition therefore, it would require the pliant genius of a *sir William Scott* to justify this insolent encroachment of his countrymen. If the Melampus did fire upon the crew of the Impeteux and afterwards burn her, within one or within three miles of the land, there is not a principle held sacred among civilized nations which can excuse their irregularity. The jurisdiction of every nation extends beyond its immediate coast. Some writers have extended it as far as 30 leagues: the oldest advocates of neutrality have fixed it within the distance of a cannon shot, or within a marine league. *Vattel*, for instance, declares in book 1. ch. 3:

"A nation may appropriate things, where the free and common use of them would be prejudicial or dangerous. This is a second reason for which powers extend their dominion over the sea along their coast, as far as they are able to protect their right. It concerns their safety and the welfare of the state, that the whole world be not permitted to come so near their possession, especially with men of war, as to hinder the approach of trading nations, and disturb navigation. During the war of Spain with the United Provinces, James I. king of England caused to be drawn along his coast the limits without which he declared that he would not suffer any of the powers at war to pursue their enemies, nor even their armed vessels to stop and observe the ships that should enter or sail out of the ports. These parts of the sea thus subject to a state, are comprehended in its territory; no one can navigate them in spite of that nation.—These parts of the sea are within the jurisdiction of the territory of the nation; the sovereign commands there, he makes laws, and may punish those who violate them; in a word, he has the same rights there as on land, and in general all those given him by the law of the state."

The Melampus had in fact the same right to burn the Impeteux within the Chesapeake and even in the port of Norfolk, as within a mile of the N. Carolina shore.

The commander of the Melampus *cannot* plead an ignorance of this law. He cannot plead that he knew not whether he had penetrated within *this* jurisdictional limit; when he was *one* mile only from the land. To what, then, but to an open contempt for our rights must this illegal act be attributed?

By such conduct, therefore, he has violated our most sacred and acknowledged rights.

He has subjected himself to the punishment of being forever excluded from our ports by a proclamation from the President.

He has subjected his government to the unnecessary expence of paying for all the losses sustained by the burning of L'Impeteux.

But this goes entirely upon the supposition that the Impeteux was really stationed *within a mile of the land*. Respecting this fact, there must still be considerable doubts.

The French officers may have confounded a *bar* of sand with the land itself.

It is well known, that these shoals nearly cover the whole coast of N. Carolina; that they form the only, but an immense impediment to her navigation; that some of them stretch several miles into the ocean, and that they are to be met with on the Currituck inlet, where the Impeteux was foundered, as well as to the south. The point therefore still remains open for investigation, whether the Impeteux was run on one of these shoals, within a mile of the land itself, or within a mile of a bar of sand, rising out of the water, and mistaken for land.

If it was within 3 miles of the land, the consequences are such as we have already developed.

But if it be only the last, it will not be considered as a violation of our jurisdictional rights. The case of L'Africaine, decided before the district court of S. Carolina, is the strongest precedent in point. On that trial judge Bee observed, that "in a maritime point of view, the term *coasts* might include all the shoals to a certain distance, but that this construction would be too vague for any court to adopt; for as the shoals ran along the coast, there would be no fixed rule by which to be governed; it would be impossible to fix a boundary; and the different courts of the U. S. would be obliged to apply various distances to the terms of the act of Congress. Much uncertainty and confusion would result from such an interpretation: the distance would vary with every shoal."

COBBETT ON PEACE.

"It is truly surprising, that men should, upon meeting one another, ask: "do you think there is any *hopes* of peace?" It is indeed, surprising, that, after all they have seen, they should still look forward to peace as an object resembling *a peace of former times*; and that they should appear to expect from a treaty, signed under the present circumstances, a disbanding of regiments, a dismantling of ships, a reduction of taxes, and, in short, all the usual consequences of a change from a state of war to a state of peace! One would think, that they had neither seen nor heard for years past; and that they had no recollection of the peace of Amiens; and that the battle of Austerlitz and all the other events of the present war had passed totally unnoticed by them. Amongst the fund holders and the jobbers of the Alley some effect will be produced by a treaty of peace; but as to the people in general, a peace will produce no effect at all. Peace, if made under the present circumstances of Europe, and in the present pecuniary situation of England, can be, between France and England, nothing more than a mere *cessation of hostilities*, a season for new and more formidable preparations for war. The professed object of the war, on our part, was, the restoration of the balance of the continent, or, in the words of that wise monument man, whose debts we have paid, it was, "*to repress the ambition, & chastize the insolence of Bonaparte*," in which, I think, it will not, even by Lord Grenville, be said that we have quite succeeded. The real point of quarrel was *Malta*; and, are there many persons who really imagine we shall keep Malta? What justification of the treaty, other than the plea of absolute necessity, can be discovered, it is out of my power to imagine; and, does any man suppose, that, under the effects of such a peace, we shall be able to bear up against the designs and the power of France? Shall we, having made such a peace, be able so to act as to preserve peace otherwise than by submission to every injury and every insult that the enemy pleases to give way to? The chief cause of the last rupture, was, that the ministers found it impossible to live in peace, and, as Mr. Addington said, we "were at war because we could not be at peace." Will not the same reason again arise? During the last peace, the produce of the land and the labor of England was, in a great degree at the mercy of France; because France, having the power of rising or sinking our funds at her pleasure, the amount of her gains could have no measure but that of the extent of our endurance. And will not the like occur again? Shall we not be even more disposed to endure than we were before? If there be any man in the country who can cause the funds to fall to day and to rise again to-morrow, and so on for a length of time, is it not evident, that he can draw from that source whatever riches he pleases? And why should not Napoleon do the same, if he can, with impunity, threaten us to day and soothe us to-morrow? Here lies the danger. This is our great and mortal disease. While the radical cause of our debility exists, there is no safety for us in peace. Peace cannot last. It may be honored with the name, but it will have in it nothing of the nature of peace. Before we think of any thing worthy of the name of peace; our pecuniary affairs must undergo a radical reform. There must be less left in the power of the enemy at the stock-exchange; there must be a reduction of expence; there must be great relief on the score of taxes; the people must not be solely occupied in making preparation for the moment when the tax-gatherer shall knock at the door. Whether such a reform is likely to take place the reader may be able to judge from the measures which the INS have brought forward, and which the OUTS have cordially approved of, during the present session of Parliament. Yet, there MUST be a reform; there must be a reduction of expense; or there never will again be real peace between England and France, as *independent* nations. Pitiable! truly lamentable, therefore, is it to hear men talk of peace as a source of tranquillity and of ease! They do not perceive the change of circumstances, and it is greatly to be feared, that they never will perceive it until it be too late.—Ask them why they approved of going to war, and the answer is, it was impossible to live at peace with such a restless neighbor as Bonaparte. Well! Bonaparte is still alive; and is it not equally impossible to live at peace with him now? Do you think that he is, either by Pitt's 'chastising,' or by the effect of adversity, become more moderate in his views? Or do you think that, after the 'third coalition,' he has more reason to be reconciled to England than he had before? To these questions we receive no answer; we have again to listen to the utterance of vague, undefined hopes—and we are reluctantly compelled to leave the hopers to be enlightened in that school, wherein alone wisdom is taught unto fools.

My view of the situation of Europe in general, and England in particular, renders me very little anxious upon the subject of peace; because, whether there be war in name as well as in the thing, or whether there be war under the name of peace, is of little consequence; and, as to the terms, it is ridiculous to hope that they will, if peace be made under our present pecuniary circumstances, be near so good as those of the peace of Amiens. If indeed, there were a reform in the national expenditure; if the public debt were brought as it might be, within manageable bounds; if a cheap and efficient military force were completely established; then might an English minister say, I will have real peace, or you, France, shall never have a moment's tranquility; for, I can carry on war with you forever. And why are not these things done? Where is the obstacle to their accomplishment? Where is the reason that what is necessary to our political salvation cannot be adopted? The reason, is, that while every man is calling upon every other man to make sacrifices, no man will make sacrifices himself; but, on the contrary, it would seem as Lord Ellenborough expressed it in the case of the Athol Claim, that there prevails a general opinion that the ship is upon the rocks, and that every one is endeavoring to rifle the chests, in the hope of escaping from the wreck. This is the reason that nothing efficient is done; and, as the safety of a nation depends solely upon the will and the exertions of the people composing it, what must be our fate, if this disposition continues? Times of great public trouble and calamity, times of arduous trial, do frequently bring forth, in nations as well as in individuals, extraordinary virtues and talents. God send that this may be the case in England! but, if any one imagines, that the independence of this country is now to be preserved by party harangues, or by diplomatic arts, he will, if he live but a few years, find himself miserably deceived. A nation, situated as we now are, was never yet rescued by ordinary means, much less by means that are weak, if not despicable. There must be extraordinary talents; and, again I say, God send that we may find them!"

FROM THE PARIS ARGUS.

We have received London papers to the 4th July. They contain nothing more positive or important than the former. However, stocks still keep up. People are ever inclined to hope for what they ardently wish. If the silence of impartial journals inspires mistrust, the declamations of the new opposition prints are ill calculated to excite apprehension. We have already assigned a reason for it. In examining the present situation of the ministry and of England, one would perhaps find the real grounds of the hopes of those who wish for peace; and the objections which the partisans of the war state, are nothing to the reasons of policy which press the English to terminate it.

England, say they, cannot consent that France should preserve on the continent, the influence which her possession and her victories have given her, nor that she should in a few years of repose reknit her connections, resume her commerce, recover all her colonies and give to her navy the splendor which she has a right to expect. However, they acknowledge that the emperor of the French will never consent to see the number of his ships limited, to receive laws in his own ports, and to restrain the independence of the national commerce; whence they conclude, that peace is impossible. But is it true that a peace honorable and advantageous to both parties cannot be made? Is there no means of putting a stop to the effusion of human blood and the misfortunes of Europe? God forbid we should think so!

The question is less what England desires, than what she may henceforth obtain. She regrets the preponderance of France, but is unable to prevent it. She is forced to acknowledge it to be in a great measure the handy work of her late ministry, the fruits of their political blunders. The prolongation of the war will perhaps only make bad worse, in the relative situation of England with the continent. She can no longer find any allies upon it useful to her cause; she can no more rekindle war upon it without exposing herself to greater losses than she has occasioned. The most enlightened statesmen in England have thought that the state of warfare which France is forced into, authorises her to take from her victories advantages which her moderation has hitherto neglected. Not to be the dupe of the war, she might complete the annihilation of English influence, and herein she would at this day meet with no formidable opposition. The prolongation of the war authorises her to attack England in all those who remain devoted to her, or to organize such a system as may render the return of her influence impossible. England, unable to oppose any efficacious resistance, should then endeavor, to put a term to the hopes of France, otherwise that in a war necessarily disastrous for herself. All delay heightens the evil of her situation!

But, say they, the emperor of the French will profit of the first moment of the peace to re-establish his navy and revive his colonies; it is indeed to be supposed. But is it the more probable that France will thereby become a state essentially maritime and commercial? Can she preserve her greatness on the continent and aspire to the dominion of the seas? This pretention does not appear to be either in the principles or in the interests of government. In the same manner as nature opposes England's ever having a regular force capable of carrying her arms with success upon the continent, it is perhaps impossible for France to wield the sceptre of the seas, without losing a part of the more solid strength which she has acquired. Besides, if this power puts the days of peace to profit, will England not profit still more of them by the prosperity of her trade, and the very security of her existence? Her warehouses are loaded with merchandize, the vent of which becomes every day more difficult. The public debt must augment during war; credit maintains itself only by the hope that it will be paid off, and it is allowed that this payment cannot take place till after many years of peace. The taxes grow heavier according as the interest accumulates. The vigilance of the new administration has discovered enormous abuses in the finances: the organization of the army is demonstrated to be defective. Ireland is still in an evident state of crisis—the grand work of her union can only be consummated in calmer times. The English colonies are not in a more flourishing condition than the parent state. The fortune of the planters is precarious; their commodities have no vent; their subsistence depends on neutral nations, who may become enemies; the company's affairs in the east, are in an equivocal state; a hidden fermentation agitates it; it has only an uncertain government and secret enemies, who are conspiring its ruin. In fine, the more one examines the situation of the English people, the more one is frightened for them at the continuation of the war. The maritime successes which they have obtained, have been of no advantage to them, whereas those of France are real for the moment and secured for the future. The one has only new dangers to run, the other only new success to pretend to.

UPPER CANADA,

York, August 30.

On Saturday the 23d inst. arrived here his excellency Francis Gore, Esquire, Lieut. Governor of his majesty's province of Upper Canada. His excellency landed at 12 o'clock, with the honors due to his rank; and was sworn into office at the government buildings on Monday last.

On Wednesday the 27th inst. Wm. Weekes, Esq. member of parliament for the counties of York, Durham and Simcoe, on the part of the inhabitants of the Home district, presented to his excellency the following address:

To his excellency Francis Gore, Esq. Lieutenant Governor of the province of Upper Canada, &c. &c.

May it please your excellency:

WE, his majesty's most dutiful and loyal subjects, the inhabitants of the Home district, beg leave to congratulate your excellency on your safe arrival in this province; and to express to you the unfeigned assurance of our unshaken loyalty and attachment to his majesty's person and government. We also beg leave to add, that we feel the most lively gratification in observing in your excellency's appointment, the high prerogative of legal authority unconnected with a military establishment; and we indulge ourselves in the hope of experiencing, in your administration of this government, the paternal solicitude of a gracious sovereign for the prosperity of the province, in unison with the affections of a grateful people.

In approaching your excellency, with a zealous attachment to a constitution which neither innovation can impair nor anarchy deform, we lament our being under the necessity of stating to you, that, since the establishment of it in this country, its system has been mistaken, and its energy misused. In situations in which it were matter of dignity as well as of duty, to promote the public good, private interest only has been regarded: and prerogative and privilege have been indiscriminately sacrificed at the shrine of arbitrary imposition.

We would willingly remove from our memory every impression of former occurrences, if it were as easy to forget our sufferings as to submit to them in silence; but we forbear at this period to solicit your excellency's attention to their detail, pleased as we are in the expectation that a remembrance of the past will stand only as a contrast to the felicity of future times; and that under your excellency's administration, neither weak capacities nor erring minds will gain influence or ascendancy in the councils of this province.

It is unnecessary for us to state, nor is your excellency now to learn, that the institution of the government, from which we receive a hereditary protection, has antiquity for its origin, and the wisdom of ages for its support—That it has gained celebrity with time, and perfection with experience, and that any deviation from its principles must be an abandonment to our ruin; but we trust it may not be deemed irrelevant to suggest, that many among us have supported it at the hazard of their lives and the expence of their property—that others have resorted to it from choice, and have afforded to its establishment the labor of their years and the gleanings of their industry—and that it is the common concern of all to transmit it unimpaired from age to age, until, in the competition of its enjoyment, perpetuity and age become synonimous to our posterity.

Signed by 301 of the Home district.

To which his Excellency was pleased to return the following answer:

GENTLEMEN,

I thank you for your congratulations on my safe arrival in this province; and I receive with pleasure your professions of attachment to his Majesty's person and government.

I highly approve the sentiments you profess for the British constitution. My utmost endeavors will be exerted to administer it here with impartiality, and to preserve it from anarchy and innovation.

FRANCIS GORE,
LIEUT. GOV.

Government House,
York, August 27, 1806.

FROM THE BALTIMORE EVENING POST.

Extract of a letter from an American gentleman at Bordeaux, to a friend in Baltimore, dated 14th July, 1806.

"The impoverished state of Bordeaux, the stagnation of commerce and the new duties on wine, and on foreign articles of general consumption, have affected all descriptions of people there. Wines of all kinds are extremely low, and West India produce has but a nominal price. Nothing is doing but from hand to mouth; the hope, rather than the expectation of peace, has had some share, of late, in making every body wary of purchasing any article whatever.

"Negociations for an exchange of prisoners are going on—and has indeed, been in part accomplished—but while England insists on maritime domination, and is every day acquiring or consolidating continental dominion, it perplexes me to conjecture how preliminaries can be adjusted between them.

"The Kings of Naples and Holland will not descend from their Thrones—So far from it, that the report of the day is, that the ancient Kingdom of Navarre is to be severed from Spain proper, and adorned with a crown for Lucien;—and Switzerland to be constituted into a Regal Republic for Jerome. Time only can develope the truth or the falsehood of such conjectures.

"Troops have been, and are still marching in considerable bodies towards Spain; whether for the above purpose, or for more effectually shutting out the British Commerce from the Spanish ports, I know not. Some people suppose that Portugal is the object.

"No person can question that the great Emperor of the French will become, in effect, the great Emperor of the West, under whatever title the power may be wielded. The effects of the great battle of Austerlitz will be felt for centuries. It has made all future