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FOR THE NATIONAL INTELLIGENCER.

OBSERVATIONS ON THE CONDUCT OF GREAT BRITAIN—CONTINUED.

No. VIII.

A charge so high and so solemn as that we have made against the British government should be accompanied by the most explicit allegations, the fairest truths, and the soundest argument, on our part. These considerations may serve to excuse our attempt to add to the discussions on the subject of impressment certain observations, which might not be convenient between ministers of state, though unexceptionable and useful from a free press. In doing this perspicuity will often require a repetition of the official arguments.

We present, with confidence, to our readers the position of our government, that the law of nations does not authorize a belligerent power to enter a neutral ship on the high seas, for the purpose of searching for, or taking out any persons,but military enemies. Such an act cannot be justified by the proper or local laws or constitutions of a particular belligerent country, because foreign municipal laws do not affect neutral ships, and persons out of the jurisdiction of the power at war.

These opinions are unreservedly displayed, because they are believed to be correct; after examination and reflection, and because they can be counter argued, if wrong. But, if England has a right to impress her own subjects at sea, she ought to abstain from it on board of American ships because she cannot ascertain them. "The difficulty to distinguish" Americans from Britons is an ingenious turn of expression. The correct language is that, in every case, wherein the British cannot ascertain their subjects from their smilarity to our citizens, there exists an insuperable impediment to the execution of this personal process of impressment.

No officer, with the clearest and strongest warrant, can conscienciously, safely, or lawfully take hold of any person in virtue of such warrant, without first ascertaining his man. By the common law the man wrongly taken in such case may resist to death without being guilty of murder. If held, he will recover damages for false imprisonment. If every Englishman falsely taken within the Island of G. Britain can thus have remedy for the wrong against the high sheriff of London, or the officers of the civil administration, surely neutral citizens cannot, with impunity, be made prisoners on board their own vessels, out of the English jurisdiction, at the discretion of every young midshipman or lieutenant. When it is done the English officer is subject to damages, or we are in a worse condition than subjects.

It is a solemn and imperious duty of the U. States to take a calm stand upon the strong ground of law and reason, to prevent injury and to obtain remedy in such cases. We have a clear right to urge too, that Englishmen, lawfully contracted to us, as seamen and passengers, are bound to remain with us, till the contract is performed —and that this constitutes another insuperable objection to taking them from us by impressment.

There is no law of either nation forbidding our agreeing with British seamen and passengers, and we might as morally and justly break the contracts of our citizens with their subjects for goods, as they break their subjects' contracts with us for services or passengers. We repeat the suggestion, that law must necessarily govern in the business and personal intercourse between Americans and Britons, if they mean (as we do) to preserve a good understanding. We do not invade their personal rights. They must cease to invade ours. We do not invade their rights of property.—They must not continue to invade ours.

The practice of the impressment of the particular class of British subjects called "seamen," even within the British jurisdiction, is not capable of being pursued, without an illegitimate sacrifice of the principles of the compacts between the nation and the king in the great charters. Nothing but an act of parliament can abrogate the stipulations of these charters.----The long custom of impressing, like the custom of purchasing seats in parliament, cannot legalize the measure. Hence no man has ever been hanged for murder on account of a death clearly produced in resisting impressment. ----Great Britain wants soldiers more than sailors: yet she does not venture to impress men to fill her regiments, bound to the same places as her ships of war. The impressed sailors are uninformed, violently conveyed away, confinedi n floating prisons, and therefore unable to resist with success the particular measure of oppression often dealt out to them even in times of the most calm and serene peace. The illegitimacy of the impressment, (of real Englishmen,) within their jurisdiction increases the dissatisfaction of the Americans at the impressment of persons in our ships on the high seas. We know it to be unlawful and oppressive, and that it justifies our citizens in resistance, at every hazard. We notice this, because America has been violently censured for introducing a bill into her legislature to clothe this right in certain, known and permanent language. It is, that the captain and crew of a British merchant ship, (if neutral) on the high seas, would be justifiable in shooting to death an American lieutenant and press-gang, (if we were at war with France) who should be in the act of taking the contracted American seamen and passengers out of such neutral British merchant vessel. If so, the same rule must work in our favor, now we are neutral, and England at war. The proposed bill, therefore, went only to declare the law; not to make it. Great Britain, in her confidential cabinet, ought to consider, that her practice of impressment is giving rise to serious discussions with a nation, which are full tenants in common with her, of all the legal ground of the British empire, of the 3d day of July, 1776, which we shall chuse to occupy.

We are desirous to press this particular subject, on the consideration of the British government, because it makes her many enemies in our country, and may make us many enemies out of our country. Her public men and subjects here, have witnessed a very indecorous newspaper attack on this particular subject, upon our government, considered to be the work of a foreign minister of a belligerent power, remaining in America. It is therefore no pretence on our part, that we are considered to be careless of our neutrality with respect to our seamen. There are persons, both American and foreign, who firmly believe that Great Britain wishes by engaging our seamen in her ships of war, to embroil us with her enemies. The English government know how utterly averse we are to engage in this war, and therefore such an opinion in the nation, and in our public councils, would be very unfavorable to her. We speak plainly on all our subjects. It is the language required in this critical time, from a reasonable and correct neutrality, and from a legitimate amity towards the belligerents. We hope, however, that we speak with good temper.

There are circumstances connected with this subject, which ought to engage the consideration of Great Britain, if she wishes to maintain her standing in the United States. During the session of Congress in which the non-importation law was passed, a member of the Senate from Maryland, introduced a bill, to declare the legality of American resistance to British impressment, by all the force and arms of the impressed persons. In the next following session of the legislature of Maryland, he was elected their governor. This is an impressive fact, as shewing the feelings and judgment of the wealthy and populous middle state of Maryland, concerning a strenuous opposition to the long continued, repeated, and unremedied aggressions of Great Britain against our flag, our property and our mariners.

There is no hostility in presenting such facts to the prudence of Great Britain, in her legislative chambers, her executive councils, her admiralty, and her prize tribunals, and the public halls of her manufacturers and merchants. The impressment of our seamen was the particular object of the Maryland senator. We wish it to be believed, that there is no prospect that the United States will any longer endure the violation of their flag by impressment. England would resist by force, according to the form of our bill, and in every way, our impressments of her trading ships crews. We may, therefore, resist her impressments in every corresponding manner. She may with justice and good conscience resort to the laws of peace. We have already done it in our non-importation act. Our citizens must be protected from unlawful arrestations, and from conversions of their neutral hands to the purposes of an illegitimate warfare against nations with whom we are at peace.

JURISCOLA.

FROM THE FEDERAL GAZETTE.

INTERNAL IMPROVEMENTS.

Our readers will be pleased by a perusal of the following extract from a letter, written by a gentleman of observation to his friend in this city, dated

Frederick County, August 28.

"I have just returned from Pennsylvania, and knowing it will give you pleasure, I will communicate information I obtained respecting the road through Yorktown to the canal on the Susquehanna. I found the locks floored with brick, which had been broken up. They can be easily repaired by flooring them with plank. I viewed the canal, and think it a useful work. I was informed by the keeper, that 365 boats have passed through this spring and summer; that all the arks and rafts were obliged to pass on the east side of the island, which lies at the head of the canal, and consequently none of them can land on the west side for some distance. Ipes' landing is where many stop. An eligible landing may be made on the west side of the river above the mouth of the canal, at which place there is no doubt the turnpike ought and must end; which is now said to be 11 miles from Yorktown, but several gentlemen think it may be reduced to nine.

"I had the pleasure of meeting and conversing with the commissioners, who had just finished measuring the road to Yorktown from the line, where our turnpike is to stop. They informed me that it was not quite 46 miles from Baltimore to Yorktown, and of course the distance from Baltimore to the head of the canal will be about 55 miles. When I was at Philadelphia, the mile stones shewed it to be 66 miles to Lancaster; and it was supposed 11 miles to Wright's ferry—total 77. So that all produce coming down the river will be, when at the head of the canal on Conawago Falls, 22 miles nearer to Baltimore, than when at Wright's ferry to Philadelphia. It appears also, from the best information I could obtain, that it must be 15 miles from the upper end of the Conawago falls to Wright's ferry. Sure I am, no man would risk his life and his property through the dreadful and dangerous 15 miles to Wright's ferry, when he could receive as much for his produce at the head of the canal from a Baltimorean as he could obtain from a Philadelphian at Wright's ferry; and there is no dangerous place in the river above Conawago falls.

"I glory in the *industry* and the *rapid rise* and *progress* of Baltimore. The advantage of a road 22 miles shorter, with the privilege of avoiding the dangerous falls to Wright's ferry, give to Baltimore a very great advantage over Philadelphia. I have long been of opinion that every farmer on the west of the Susquehanna is as much interested in the rise of Baltimore as we are; and from conversations with several gentlemen, I was pleased to find it much strengthened. A sanguine hope is encouraged here, that a law will be passed next session to extend the turnpike from Yorktown to the river. This being accomplished, I think every farmer on the east side of the river, above the falls, who brings his produce down the river, will soon soon find himself equally interested with those on the west.

"I also spent part of a day at Anderson's ferry, over which we walked on the ice when called to the Jersey's, in the winter of 1776—'7. That place is much improved. On the east side of the river is a handsome little town, which Mr. ——— informed me had been laid out only about two years ago; and I understood him that there had been erected about 40 dwelling-houses. If this has risen so rapidly, how rapid will be the growth of one at the head of the canal and turnpike, when they are completed?

"I am well acquainted with the situation of Baltimore and the interior of the country. There is no seaport that I know, equal to it, as to internal resources. You may ride from Geo. Town to Fredericktown,—43 miles; from Fredericktown to Hanover,—42 miles; from Hanover to York,—18 miles; and from York to Wright's ferry,—11 miles: and during this journey of 114 miles, Yorktown is the most remote situation from Baltimore, and that is now ascertained to be little more than 45 miles. Baltimore, from its situation, is now the market for the greater part of the produce from the upper part of Virginia, Maryland and Pennsylvania, which will be greatly increased with the improvements of our country, whose rapid progress has no parallel, and which I pray to Heaven to continue, and to avert the evils with which we at this time are threatened.

"They have in Pennsylvania obtained a law for the purpose, and seem anxious to complete a turnpike from our line through Little's town to Gettesburg."

FROM THE AMERICAN CITIZEN.

THE TREATY—I have ascertained to my satisfaction that the pamphlet recently published in this city, with the title of "The British Treaty," and which is now in a course of entire republication in the columns of the Evening Post, was written by Mr. Oliver Wolcott, late secretary of the treasury, and printed at the office of Messrs. T. and J. Swords. The fact in relation to the latter gentlemen is not mentioned in the way of censure, for they have printed the pamphlet as they sell books; both are in the line of their business.

But what shall we say of Mr. Wolcott, a distinguished federalist, and once a confidential adviser of president Adams? He who considers the object of the pamphlet, can have no difficulty in making the answer.

Engaged in a serious misunderstanding with England, one in which are involved the peace, the prosperity, and the honor of America, Mr. Wolcott has written and published the pamphlet in apology for England on the one hand, and, on the other, avowedly to censure the President for rejecting the treaty without having, in the judgement of Mr. W. sufficient cause for the rejection.

In the prosecution of those purposes, we see Mr. Wolcott acting in secret with the British minister.

I predicate this remark on the well known fact that only two copies of the treaty were received here; the one by the President, which was not laid before the Senate, and the one by the British minister: and also on what is equally certain—that Mr. Wolcott has not obtained a copy of the treaty from the Executive department.

Need we ask by whom he was furnished with it? There can be no mistake in answering—by the British minister.

What then do we witness? A foreign minister, disregarding the customary respect due to the nation to which he is sent, colleaguing with a conspicuous member of the federal party, to invigorate the old and raise if possible a new opposition to the administration.

The ground taken by Mr. Wolcott, as far as we can understand him, for he is contradictory and confused, is that the treaty contains many commercial advantages to the U. S. and therefore that it should not have been rejected—especially in the way it was, without referring it to the Senate. I am not about to discuss the treaty, to ascertain the advantages or disadvantages of it, for whatever it was, it is no more; but against the party and malignant efforts of the writer, I will offer some observations in defence of the executive.

I have always understood, and my information is derived from sources as correct as those of Mr. Wolcott, that the treaty was rejected on two grounds—

1. That it contained no article, or one not satisfactory, in relation to the right imperiously assumed by the British government of searching our merchant ships for men.

2. That the treaty was accompanied with a note calling upon the U. S. in a very arrogant tone to make common cause with England against the blockading decree of the emperor of France, and in case of refusing to do so, declaring, in terms too explicit to be misunderstood, that even when ratified by the commissioners of the British government, and by the President and Senate of the U. S. England would be bound by it or not as her interests might dictate.

The question regarding the right of search, which has so long been the subject of discussion between the two governments, is not noticed in the treaty as given by Mr. Wolcott. If no other and greater objection than the omission of an important item had been entertained, whatever might have been the final decision of the President as to ratifying the instrument, he would in all likelihood have referred it to the Senate.

But, accompanied as it was with a note singular in phraseology and extraordinary in object, amounting to an attempt to coerce the U. States into an alliance with England against France, the President, without referring it to the Senate, rejected it as a thing so incompatible with the independence and honor of the U. States, that it could not be deliberated upon by the Senate without incurring odium to both.

To the Editor of the Norfolk and Portsmouth Herald.

SIR,

I perceive in your paper of today, a communication stating, that "a meeting had taken place between Dr. Starke and Capt. Gordon, in consequence of a dispute on the subject of Commodore Barron's conduct. Several shots were exchanged without effect. The affair terminated in the Doctor's receiving a wound through the arm from Lieut. Crane, the friend of Capt. Gordon."

It is obvious that the intention of the author of that piece was to injure my reputation, and that too in a mean and dastardly way: for although what he states is the truth, he has not stated the cause of my firing—It is as follows:

There was a particular stipulation between the parties, which was communicated to the gentlemen when they took their ground, that if either of them fired, before they should receive the word, the friend of the gentleman fired on, should immediately shoot him. Dr. Stark fired before the word, and I did my duty.

Writing, Sir, is not my profession. I have no wish to be engaged in newspaper contentions. Should any thing further be published on this subject, I hope the authors will add their names.

As the communication was made through your paper, I expect, and have no doubt, you will have the justice to give this a place.

I am, Sir,

Your obedient servant,

W. M. CRANE.

U. S. Frigate Chesapeake,
24th Sept. 1807.

LONDON, AUGUST 14.

POLAND.—The following is an extract from a proclamation by the General Directory of Poland, issued on the 18th of July:

"Despise all the false reports which the inveterate enemies of our country circulate. The greatness of the soul of Napoleon is our *Ægis*. Our fate cannot be determined at this moment; an impenetrable veil must conceal it for some time from our eyes. Let us adore the sublime wisdom of him who commands the half of the world. Banish the despair of your heart. Be penetrated with obedience, and resign yourselves to the confidence you ought to have in his goodness; your happiness depends on it. The least murmur, the least opposition to his will may destroy all that you have hitherto done. Our new-born power cannot exist without his. We can only obtain existence from the invincible Napoleon; a man equally great in politics and war, who determines and executes every thing in the profundity of his wisdom, without our being able to penetrate his motives. Let us place in him unbounded confidence; this is the only means which can secure to us his benevolence; and let us employ, quietly, and patiently, the time which peace affords us to render ourselves perfect in every thing relative to the service of our country."

LOSSES OF PRUSSIA BY THE PEACE.

By the peace of Presburg, Austria lost 3,000,000 of inhabitants, and a revenue of 16,000,000 of guilders. The