

THE WAR.

"LET THE RALLYING WORD, THROUGH ALL THE DAY, BE "LIBERTY OR DEATH!"

VOL. I.

NEW-YORK.....SATURDAY, AUGUST 29, 1812.

No. 10.

THE WAR,

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(FOR THE EDITOR)

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(Continued from page 38.)

To the Berlin decrees succeeded the British orders in council, of the 7th of January, 1807, which were merged in the orders of the 11th of November following. These declared "all ports and places belonging to France, and its allies, from which the British flag was excluded, all in the colonies of his Britannic majesty's enemies, in a state of blockade: prohibiting all trade in the produce and manufactures of the said countries or colonies, and making all vessels trading to or from them, and all merchandize on board subject to capture and condemnation, with an exception only in favor of the direct trade, between neutral countries and the colonies of his majesty's enemies."

These extravagant pretensions on the part of Great Britain were immediately succeeded by others still more extravagant on the part of France. Without waiting for any knowledge of the course the American government would take, in relation to the British orders in council, the French emperor issued on the 17th of December following his Milan decree, *by which* "every ship of whatever nation, which shall have submitted to search by an English ship, or to a voyage to England, or paid any tax to that government, are declared *denationalized* and lawful prize."

"The British islands are declared in a state of blockade by sea and land, and every ship of whatever nation, or whatsoever the nature of its cargo may be, that sails from England or those of the English colonies, or of countries occupied by English troops, and proceeding to England, or to the English colonies, or to countries occupied by the English, to be good prize." The nature and extent of these injuries, thus accumulated by mutual efforts of both belligerents, seemed to teach the American statesman this important lesson, not to attach the cause of his country to one or the other, but by systematic and solid provisions for sea coast and maritime defence, to place its interests, as far as its situation and resources permit, beyond the reach of the rapacity or ambition of any European power. Happy would it have been for our country, if a course of policy so simple and obvious had been adopted.

Unfortunately, administration had recourse to a system complicated in its nature and destructive in its effects, which, instead of relief from the accumulated injuries of foreign governments, served only to fill up what was wanting in the measure of evils abroad, by artificial embarrassments at home. As long ago as the year 1794 Mr. Madison, the present president of the United States, then a member of the House of Representatives, devised and proposed a system of commercial restrictions which had for its object the coercion of Great Britain, by a denial to her of our products and our market; asserting, that the former was in a manner essential to her prosperity, either as necessities of life, or as raw materials for her manufactures; and that, without the latter, a great proportion of her laboring classes could not subsist.

In that day of sage and virtuous forethought, the proposition was rejected. It remained, however, a theme of unceasing panegyric among an active class of American politicians, who with a systematic pertinacity, inculcated among the people, that commercial restrictions were a species of warfare which would ensure success to the United States, and humiliation to Great Britain.

There were two circumstances inherent in this system of coercing Great Britain, by commercial restrictions, which ought to have made practical politicians very doubtful of its result, and very cautious of its trial. These were the state of opinion in relation to its efficacy among commercial men in the United States, and the state of feeling, which a resort to it would unavoidably produce, in Great Britain. On the one hand, it was undeniable that the great body of commercial men in the United States had no belief in such dependence of Great Britain upon the United States, either for our produce or our market, as the system implied.

Without the hearty co-operation of this class of men, success in its attempt was obviously unattainable. And as on them the chief suffering would fall, it was altogether unreasonable to expect that they would become co-operating instruments in support of any system which was ruin to them, and without hope to their country. On the other hand, as it respects Great Britain, a system proceeding upon the avowed principle of her dependence upon us was among the last to which a proud and powerful nation would yield.

Notwithstanding these obvious considerations, in April, 1806, Mr. Madison, being then secretary of state, a law passed congress prohibiting the importation of certain specified manufactures of Great Britain and her dependencies, on the basis of Mr. Madison's original proposition. Thus the United States entered on the system of commercial hostility against Great Britain.

The decree of Berlin was issued in the ensuing November, (1806.) The treaty which had been signed at London, in December, 1806, having been rejected by Mr. Jefferson, without being presented to the senate for ratification, and the non-importation act not issued her orders in council on the 11th November, 1807.

On the 21st of the same month of November, Champagny, French minister of foreign affairs, wrote to Mr. Armstrong, the American minister, in the words following: "All the difficulties which have given rise to your reclamations, sir, would be removed with ease, if the government of the United States, after complaining in vain of the injustice and violations of England, took, with the whole continent, the part of guaranteeing it therefrom."

On the 17th of the ensuing December, the Milan decree was issued on the part of France, and five days afterwards the embargo was passed on the part of the United States. Thus was completed, by acts nearly contemporaneous, the circle of commercial hostilities.

After an ineffectual trial of four years to control the policy of the two belligerents by this system, it was on the part of the United States, for a time, relinquished. The act of the 1st of May, 1810, gave the authority however to the president of the United States to revive it against Great Britain, in case France revoked her decrees. Such revocation, on the part of France, was declared by the president's proclamation on the 2d November, 1810, and in consequence non-intercourse was revived by our administration against Great Britain.

At all times, the undersigned have looked with much anxiety for the evidence of this revocation. They wished not to question, what, in various forms, has been so often asserted by the administration and its agents, by their directions. But, neither as public men nor as citizens can they consent that the peace and prosperity of the country should be sacrificed in maintenance of a position, which on no principle of evidence they deem tenable. They cannot falsify or conceal their conviction that the French decrees neither have been nor are revoked.

Without pretending to occupy the whole field of argument, which the question of revocation has opened, a concise statement seems inseparable from the occasion.

The condition on which the non-intercourse, according to the act of 1st May, 1810, might be revived against Great Britain, was, on the part of France, an *effectual* revocation of her decrees. What the presi-

dent of the United States was bound to require from the French government, was the *evidence* of such of effectual revocation. Upon this point both the right of the United States and the duty of the president seem to be resolvable on very distinct and undeniable principles. The object to be obtained for the United States from France was an *effectual* revocation of the decrees. A revocation to be effectual must include, in the nature of things, this essential requisite: The wrongs done to the neutral commerce of the United States, by the operation of the decrees, must be stopped. Nothing short of this could be an effectual revocation.

Without reference to the other wrongs resulting from those decrees to the commerce of the United States, it will be sufficient to state the prominent wrong done by the 3d article of the Milan decree. The nature of this wrong essentially consisted in the authority given to French ships of war and privateers, to make prize at sea, of every neutral vessel sailing to or from any of the English possessions. The authority to capture was the very essence of the wrong. It follows, therefore, that an effectual revocation required that the authority to capture should be annulled. Granting, therefore, for the sake of argument, (what, from its terms and its nature, was certainly not the case) that the noted letter of the Duke of Cadore, of the 5th of August, 1810, held forth a revocation, good in point of form and unconditional, yet, it was not that effectual revocation for which the act of 1st May 1810, alone authorised the President of the United States to issue his proclamation, unless in consequence of that letter, the authority to capture was annulled. The letter itself is no annulment of the authority to capture, and it is notorious that no evidence of the annulment of this authority to capture ever has been adduced. It is decisive and almost daily evidence of the continued existence of this authority to capture.

(To be continued.)

OFFICIAL.

MARCHING ORDERS.

FRANKFORT, AUG. 6, 1812.

Sir—Yourself, with the rifle regiment under the command of lieutenant-colonel commandant John Allen—the first regiment of infantry under the command of lieutenant-colonel commandant John M. Scott—and the fifth regiment under the command of lieutenant-colonel commandant William Lewis—all of the detachment from the militia of Kentucky, under the act of Congress of the 10th of April last, will march to join General Hull in Canada—for which purpose, you, with the said regiments, will rendezvous at Georgetown, in Kentucky, on the 15th instant, when and where you will receive further orders.

The men will furnish themselves with provisions and the necessary conveyance to the rendezvous at Georgetown. You will then be furnished provisions and the necessary means of conveyance for the residue of the march. Arrangements will be made for the

* This article is in these words: "Art. 3. The British islands are declared to be in a state of blockade, both by land and sea. Every ship of whatever nation, or whatsoever the nature of its cargo may be, that sails from the ports of England, or those of the English colonies and of the countries occupied by English troops, and proceeding to England or the English colonies, or to countries occupied by English troops, is good and lawful prize, as contrary to the present decree, and may be captured by our ships of war or our privateers, and adjudged to the captor."

arms, ammunition, and camp-equipage, to be furnished at Newport, if not sooner.

Should any of the companies reside contiguous to Newport, so that it would be more convenient for them to make their first rendezvous there, you may at your discretion so order it; but not to be later than the 18th instant, so that they may be ready to join the detachment on their arrival at that place.

I have the honor to be,

Your ob't servant,

CHS: SCOTT.

By the Governor,

FIELDING WINLOCK, Sec'y.

Brigadier General John Payne.

REGIMENTAL ORDERS.

THIRD REGIMENT OF ARTILLERY.

August 15, 1812.

The following list of the Regiment has been received from the Adjutant-General's Office, and it is published for the benefit of all concerned.

Arrangement of the Officers of the Third Regiment of Artillery in the Army of the United States.

Alexander Macomb, of New-York, Colonel.

Samuel Nye, of North Carolina, Major.

George E. Mitchell, of Maryland, do.

Captains—James McKee, of New-York; John W. Gookin, of New-Hampshire; Alexander S. Brooks, of Massachusetts; William Van Deursen, Jun. of Connecticut; James Elliot, of Vermont; Benjamin S. Ogden, of New-Jersey; John M. Connelly, of Pennsylvania; Horace H. Watson, of Massachusetts; John Davis, of Massachusetts; Ichabod Crane, of New-York; David Fleining, do.; James F. B. Romayne, do.; Charles K. Gardner, do.; Roger Jones, of Virginia; James H. Boyle, of Pennsylvania; Rufus M'Indre, of Massachusetts; Ebenezer B. Morse, do.

First Lieutenants—John M. O'Conner, of New-York; Benjamin K. Pierce, of New-Hampshire; Moses S. Chase, of Massachusetts; James Green, Jun. do.; John Farley, do.; Samuel Weston, do.; Alexander C. W. Fanning, do.; Sylvester Churchill, of Vermont; Benjamin Breatley, of New-Jersey; John W. Green, of Connecticut; George H. Richards, do.; Richard M. Bayley, of New-York; Peter Pifce, do.; Jeremiah L. Tracy, of Massachusetts; Samuel M. Dowe, do.; William Card, of New-York; William De Peyster, do.; Harold Smyth, of Virginia; James Lane, of Pennsylvania; William M. Read, do.

Second Lieutenants—William Shannon, of New-Hampshire; Greenleaf Dearborn, of Massachusetts; Wm. King, do.; John P. Bartlett, do.; Henry A. Torrey, of Vermont; Daniel Smalley, of New-Jersey; Joseph H. Rees, of New-York; Adam A. Gray, of do.; William Henry, do.; Wm. R. Duncan, of Pennsylvania; Chester Root, of New-York; Thomas C. Legate, of Massachusetts; John Mountfort, do.; Matthew Jenkins, of New-York; Philip D. Spencer, do.; Felix Ansach, of Massachusetts; John Biddle, of Pennsylvania; Charles M. Macomb, of New-York; Charles Martins, of Connecticut.

Surgeon—John Watts, Jun. of New-York.

Surgeon's Mates—Joseph Eaton, of Massachusetts; German Senter, do.

It must be understood, that the relative rank of the officers, is not to be affected by this arrangement.

Adjutant-General's Office,

Washington City, 4th August, 1812.

(Signed)

T. H. CUSHING,

Adjutant-General.

The officers named in the foregoing list, will, without delay, report by letter to the Colonel, at Albany; where the Head-Quarters of the Regiment are for the present established. In their reports they will state the service on which they are employed, whether in the staff, recruiting, on command, or other duty; if unemployed, they will specify their places of residence, and hold themselves in readiness for immediate service.

ALEX. MACOMB, Colonel,
commanding Third Regiment of Artillery.
Aug. 24.

MILITARY PROMOTIONS, &c.

James T. Leonard, Esq. is appointed to the rank of a Captain in the Navy, and to command the Gun-Boats at New-York.

General John Chandler has been appointed a Brigadier-General in the Army of the United States.—*Bost. Pap.*

Callender Irvine, Esq. is appointed Commissary-General of the United States, in the place of Samuel Carswell, Esq. resigned.

The Council of Appointment met at Albany on Tuesday, and appointed the Hon. De Witt Clinton a Major-General in the Militia of this state.

Lieut. Ralph B. Cuyler, is appointed Assistant Deputy-Quarter-Master-General—His office is held at Greenbush.

General Bloomfield has resigned his office of Governor of New-Jersey, and has passed through this city on his way to the camp at Greenbush.

The name of Samuel B. Ladd, of Dover, late Ensign in the United States' army, has been struck from the roll of officers by order of the Secretary at War.

Rather a novel part of the military exercise was performed in the 5th regiment of United States Infantry on Friday morning last. A fellow by the name of Brown, one of the common soldiers, was clobbered and publicly drummed out of the regiment to the tune of the *Rogue's March*, with fixed bayonets. His crimes were numerous.

ACCIDENT.

The Gun-Boat, No. 30, which was upset and sunk at the Hook in a squall, on Friday evening, was got up on Monday, and towed into the Navy Yard. We are sorry to learn, that by this accident, John Arkley, of this city, Martin Hoffman, both seamen, and John Hamilton, a mulatto boy, were drowned. The bodies of the two former were found, and interred on Sandy-Hook.—*Gaz.*

On Wednesday last, at noon, a soldier on Governor's-Island, a native of Long-Island, was taken out for execution, pursuant to his sentence for desertion. He had deserted five times, and enlisted and received the bounty three times. He was carried to the place of execution and prepared for death, the guard were ordered to *make ready, present, and—shoulder*, the culprit having been pardoned.

From the Columbian.

AMERICAN PRIZE LIST.

Partially collected from a few papers, of vessels captured from the enemy since the declaration of war.

(Those re-taken omitted.)

Ship Henry, 10 guns, 400 tons, value \$150,000, taken by Comet, arrived at Baltimore

Boyd, 10 g. by Globe, at Philadelphia.

Apollo, 8 g. 400 t. by John

Huzzar, (or Hassan) 14 guns. val. \$250,000, by Paul-Jones, at Philadelphia

Ann-Green, 10 g. 400 t. coppered, val. 40,000

dolls. by Gossamer, at Boston

Fanny, 500 t. dry goods, by Teazer

Braganza, by Toni, at Baltimore

—, 14 g. coppered, with arms, &c. by Dolphin,

at Salem

Re-captured American ship Margaret, 400 t. value

\$50,000 by Teazer, at Portland

Emperor, by gun-boats, St. Mary's

Experiment, do. do.

Barque St. Andrews, 8 guns, by Rapid, at Portland

Snow, 6 guns, by rev. cut. James Madison, at Savannah

Brig Lady-Sherbrook, 4 g. 250 t. coppered, by Maren-

go, at New-York

Ranger, 6 g. by Matilda, at Philadelphia

Elizabeth, by John, 4 g. 300 t. at Salem

Russel, with lumber, by do.

Ceres, do. do. fine vessel

Prince of Asturias, 4 g. by do.

Graec, 2 g. by do.

Richard, 4 g. by do.

(Three brigs laden with timber and coal, by do. and released.)

Harmony, 4 g. by Yankee, at New-York

—, by Bunker-Hill, at Chatham

Hero, by Teazer, at Castine

Ann, by do.

Retook Am. brig Hesper, by Buckskin

—, 6 g. by Lion and Snowbird, at Marblehead

—, 2 g. mil. stores, val. \$50,000, by Madison,

at Gloucester

—, by gun-boat 62, St. Mary's

—, do. do.

James, by Bunker-Hill, at Falmouth

Peter Waldo, by Teazer, val. \$50,000, at Port-

land

Penelope, by Orlando

Sally, by Benjamin Franklin

Mary, by do.

Two Friends, by do.

— transport, with 197 soldiers, by frigate Essex

—, with rum, by do. at Baltimore

Schr. Providence, by Wily-Reynard, at Boston

Alfred, by Spencer, at Baltimore

Union, val. \$30,000, by John, at Salem

—, by Fame, at Salem

Hannah, by Dolphin

Sally, by Teazer, given up

—, by gun-boats, St. Mary's

—, do. do.

Mary-Ann, with military stores, by Buckskin

—, with brandy, by Polly

Ann, by Dolphin, at Salem

—, do. released, after taking money and

beaver

Fanny, do. at Baltimore

—, by Jefferson, at Salem

—, do. do.

—, do. do.

Adventure, gun-boat, St. Mary's

—, by Orlando, at Gloucester

Two Friends, by Benjamin Franklin

Susan, do.

Sloop Mary-Ann, by Paul Jones, at Philadelphia

Endeavor, by Polly, at Salem

—, by Orlando, at Gloucester

A number of smaller vessels not included.

THE WAR.

NEW-YORK :

SATURDAY MORNING, AUGUST 29, 1812.

SUMMARY.

We read accounts, from all quarters, of troops constantly marching to reinforce General Dearborne, who will, we presume, be soon, if not already, prepared to visit Canada with a force that will strike terror into the enemy, and inspire confidence in the friends of the United States. Large reinforcements have also marched to the head quarters of General Hull at Sandwich, or perhaps at Fort Malden. The British commander tells the Canadians that they are *free*, and assures the soldiers that they will be liberally paid with *paper money*. By a late law this paper money has been declared a legal tender to the Canadian farmer.

More British manufactures have arrived with British protections, and still more are expected. These, if even confiscated, can add little to the sufferings of the British manufacturers, as they must either have been sent to this, as their only market, or left to rot in British ware-houses. The repeal of the orders in council, and the exporting of manufactures, have been followed by great rejoicings in the manufacturing towns in England; but the cunning and speculating politicians of London have expressed their opinions by permitting the stocks to fall. The 3 per cent consols were below 57. The damper (news of the American war) has before now reached the purse strings of the speculator and the heart of the mechanic. It is unnecessary for us to anticipate the effect.

Our privateers continue to reap a rich harvest. In addition to prizes reported as arrived, we hear of several captures daily expected in port, and some as having been destroyed at sea, among the latter are said to be eleven British vessels burned by privateers out of Baltimore. The report in our last respecting Commodore Rodgers continues to receive much credit although we have no confirmation of it.

Another *FLAG OF TRUCE* has arrived at Plattsburg, with dispatches from Sir George Prevost for General Dearborne. General Moores has sent the dispatches on by an express.

AN *ARMY BUREAU OFFICE* has been established at Quebec, and bills to a large amount deposited in a small military chest. This expedient is to be attended with two good effects. The *freemen* of Canada must receive them in payment from British soldiers, and the chest, in case of seizure by the American army, will be of no advantage to the United States.

Eleven native born citizens of the United States have deserted from the British ranks and arrived safe in their native country.

Several mattresses, stuffed with flannel of a superior quality; also, some trunks of valuable dry goods, (British manufacture) were seized at Charleston on the morning of the 4th inst. by one of the officers of the customs.

The British have converted a Spanish vessel at Bermuda into a *prison ship* for the reception of American seamen. We presume this second monument of British humanity will be called the Jersey.

On the 12th instant, his Britannic majesty's schooner Whiting, lieutenant Maxey, (detained by the Dash privateer) was conducted to Hampton Roads, by the revenue cutter Gallatin, captain Edward Herbert. The crew of the Whiting was given in charge to captain H. with orders to deliver them up to their commander at the very place where they had been taken, which was done, and lieutenant Maxey was then ordered to quit the waters of the United States with all possible speed.

An engagement has lately taken place to the westward of the Balize, between Gun-Boat 156, T. A. C. Jones, commander, and two French privateers, in which the 24 pounder on board the Gun-Boat burst, and wounded several men. She was in consequence compelled to sheer off, and leave the privateers in possession of a Spanish vessel they had captured.

Charleston, August 9.

On Friday night last some villain or villains spiked the guns belonging to the beautiful new privateer sch. "SAUCY JACK."

Artillery—A handsome stand of Colours was this week presented by Adjutant Ward, to the uniformed company under the command of Capt. Hartell, who have unanimously volunteered their services in the defence of their country. The company has belonged to the regiment of Colonel Dalmonstaigne.

An Express Post is established from Washington City to Detroit by way of Pittsburgh, which is to go through and to return to Washington every ten days, making a journey of upwards of one hundred miles a day—*Peters. Repub.*

MARINE MEMORANDA.

ARRIVALS.

At Savannah, Spanish Brig Santa Rosa, brought in by the Revenue cutter James Madison, for adjudication. Also five United States barges from Charleston, under command of Lieut. Grandison.

At Charleston, The privateer Wasp of Baltimore, in company with her prize the Swedish ship Continencia, taken within the harbour. It is said the captors have found, on board the prize, papers proving her to be British property.

At Wilmington, The privateer Sch. Poor Sailor of Charleston, in distress, having struck on the bar, and afterwards on the shoal, near cape Fear.

At Baltimore, British ship Braganza of 400 tons, from Port-au-Prince for London, carrying 12 guns and 21 men, laden with coffee and logwood, prize to the privateer sch. Tom, after a running fight of 55 min.

The British sch. Albert, from Bermuda for Nassau, with brandy and wine, prize to the privateer Spencer. British sch. Anne (Hancock, prize master) from St. Domingo for Guernsey, with mahogany and logwood, prize to the privateer Globe. British sch. Harriet, from New Providence for Havannah, in ballast, and some specie, prize to the privateer High Flyer.

At Philadelphia, British packet Prince Adolphus, from Martinico, for Falmouth, Eng. prize to the privateer Governor McKean, also the Am. sch. Sylvia retaken by the same privateer. The Am. ship Superior, with a full cargo of dry goods.

At New-York, Privateer Benjamin Franklin, from a cruise of one month, with 28 prisoners, having captured during her cruise, 3 brigs and 2 schooners. Pilot boat Ulysses, from a cruise of 30 days off the coast, having been sent out by the underwriters to inform the vessels approaching the coast of the war—spoke nothing but what has arrived. Br. sch. Industry, with a cargo of salmon &c. prize to the privateer Benjamin Franklin. The new and elegant privateer built brig Anaconda, from Middletown, in ballast, to D. W. Coit—The Anaconda, is pierced for 22 guns, and a very superior built vessel.

The owners of the Privateer Benjamin Franklin, finding the schooner Industry, which arrived here on Sunday, loaded with salmon, a prize to the said privateer, to be the property to an indigent family, have made an application to government to permit the vessel and cargo to an entry, (without being condemned) that a sale of the cargo may be effected for the benefit of the original owners, (which will convert the expected loss of the unfortunate family, now on board, to a very considerable gain) and permission for the vessel to depart as a cartel, which will protect her from other cruisers.

At Boston, the cartel sch. Lark, from Halifax, with 45 masters, officers, passengers, &c. of vessels lately sent in there. Cartel sch. Emily, from Halifax, with about 20 passengers, some of them prisoners on parole. Sch. Sally, captain Pierce, from St. Johns, (N. B.) having been taken and carried there by the frigates Maidstone and Spartan, but released again on account of her small value. British brig William, (late Holeman,) of Teignmouth, from Bristol, (Eng.) bound to St. Johns, N. B. prize to the Rossie, Commodore Barney, of Baltimore, taken Aug. 2, lat. 46. 30, long. 50, with 150 tons of coal, butter, &c.—crew all taken out. The Rossie during her cruise, had taken 11 sail of British vessels, viz. ship Hetty, of 400 tons, coppered, from Glasgow, ordered for the first port; a ship from Dublin, burnt; a ship, 5 brigs, and a sch. all from England, likewise burnt; a brig and sch. on board of which were put 108 men, the officers and crews of the above vessels, and sent into Newfoundland. Mr. Cliftenden is prize-master of the William.

At Boston, schooner Fair-Play, Lowe, of and for Alexandria, from London, via Plymouth, (E) in ballast. August 4, lat. 42, long. 50, was taken by the privateer sloop Fly, Phillips, 5 guns and 39 men, 14 days from St. Johns, (N. F.) commissioned by admiral Duckworth, for a cruise of six weeks—took out 7 seamen (put on board by the American consul in London) and the mate and all hands of the Fair-Play; put on board a prize master, and 5 men, ordered her for St. Johns. On the 13th, being about 30 miles from her destined port, and having an easterly wind, captain L. with the assistance of Mr. P. Page, of Richmond, a passenger,

recovered his vessel while the prize master and 4 hands were below, the former in the cabin and the latter in the fore-castle, as supposed captain L. had no weapons of defence, but two axes, with which he compelled the man at the helm to assist in securing them below, by tying them. He nor Mr. Page have not had their clothes off, nor been below since she was retaken, but three of his men by compulsion, assisted to get the vessel in.

On the 24th inst. arrived the British schooner Hope, Lieut. Scott, 8 days from Halifax, as a *FLAG OF TRUCE*, whence she sailed with dispatches. At an hour's notice, after the arrival of a frigate, fifty days from England; and has orders to wait answers from Washington.

At Portland, the British sch. Venus of 180 tons, bound from St. Kitts to Quebec, with a cargo of rum, sugar and molasses, prize to the privateer Teazer, Capt. Wooster.

At Salem, brig Ceres, prize to the ship John.

The privateer John, of Salem, 16 guns, one hundred and twenty men, from a cruise, in which she has made eleven captures, only two of which have arrived. She brought in nearly fifty prisoners. One of the prizes has been retaken and arrived in Halifax: The Union, from Jamaica, for Quebec, Austurias, Richard, and Grace, all from St. Mary's for England, are of the number.

At Falmouth, British brig James, from Halifax, prize to the privateer Bunker-Hill.

At Newport, The Am. sch. Sally of Gloucester, with molasses from Cayenne, sent in by a privateer.

At Gloucester, privateer Madison Secundus, from an unfortunate cruise, having lost her captain, Allen, a capt. Stone, a passenger, and a man by the name of Smith, who were drowned by the oversetting of her boat, in Windsor harbour.

Three of the Marblehead privateers captured by the Maidstone, have been re-captured by our privateers and have arrived in American ports.

CLEARED.

Savannah, the sloop Alph bound to St. Mary's with arms &c. for the United States troops.

Charleston, privateer sch. Poor Sailor, on a cruise.

Philadelphia, sch. Hazard, on a cruise. Cartel ship George Washington, with seventy passengers.

Portsmouth, privateer sch. Thomas of 14 guns and one hundred men, and the privateer sloop Science on a cruise.

MACKINA July 17, 1812.

CAPITULATION.

Agreed upon between capt. Charles Roberts, commanding his Britannic majesty's forces on the one part, and lieut. Hanks, commanding the forces of the United States on the other.

ARTICLES.

1. The fort of Mackina shall immediately be surrendered to the British forces—granted.

2. The garrison shall march out with the honors of war, lay down their arms, and become prisoners of war, and shall be sent to the United States of America by his Britannic majesty. Not to serve this war until regularly exchanged, and for the due performance of this article, the officers pledge their word of honor—granted.

3. All the merchant vessels in the harbor, with their cargoes, shall be in the possession of their respective owners—granted.

4. Private property shall be held sacred—granted.

5. All citizens of the United States of America, who shall not take the oath of allegiance to his Britannic majesty, shall depart with their property from the island in one month from the date hereof—granted.

Signed CHARLES ROBERTS,

commanding H. B. Majesty's forces.

Signed P. HANKS, commanding the forces of the United States of America.

An Express Post is established from Washington City to Detroit by way of Pittsburgh, which is to go through and return to Washington every ten days, making a journey of upwards of 100 miles each day—*Peters. Repub.*

A strong detachment of Light Artillery, well mounted, and two fine companies of the 6th regiment of infantry, all under lieutenant colonel Fenwick, marched through this city (Albany) on Saturday morning.

Register, Aug 11.

NEW-JERSEY CONVENTION.

TRENTON, (N. J.) Aug. 10.

ADDRESS

To the President of the United States.

SIR—Believing it would be pleasing to you, at this crisis, to be acquainted with the sentiments and views of your constituents in every part of the Union, the Convention of Republican Delegates from the several counties of the State of New-Jersey, take the liberty of addressing you on behalf of their constituents and themselves.

They have seen with approbation the long continued and often repeated efforts of the government of the U. S. to preserve to the country the blessings of peace, and at the same time to maintain the honor and independence of the nation. Negotiation has at length been abandoned as hopeless—Resistance has been commenced as the last resort. To retreat from the contest would indeed justly subject our government to the stigma of pusillanimity, and our people to the charge of a want of patriotism.

On behalf of the Republican citizens of this state, and of ourselves, we, therefore, sir, assure you, we are now as much in favor of a vigorous prosecution of the war until our wrongs are redressed and our rights respected, as we have heretofore been of the preservation of peace, while it could be maintained without a surrender of our rights and interests. And we are fully of opinion, that the confidence of the friends of government in New-Jersey, will be increased rather than diminished, by the measures adopted by the general government for the support of our unquestionable and inalienable rights.

Permit us, sir, to add, that your conduct, as well in your endeavors to preserve peace, as in your final recommendation of a resort to arms, meets with our most decided approbation.

By order of the Convention.

BENJ. LUDLOW, *President.*GEORGE CASSEDY, *Secretary.*

ANSWER.

WASHINGTON, July 25.

SIR—I have received the Address of "The Convention of Republican Delegates from the several counties of the state of New-Jersey," explaining the sentiments entertained at this crisis, by that portion of my constituents. The sentiments are worthy the character of citizens who know the value of the national rights at stake in the present contest, and who are willing to do justice to the sincere and persevering efforts which have been employed to obtain respect to them, without a resort to arms.

The conduct of the nation against whom this resort has been proclaimed, left no choice but between that and the greater evil, of a surrender of our sovereignty on the element on which all nations have equal rights, and in the free use of which, the U. States, as a nation whose agriculture and commerce are so closely allied, have an essential interest.

The appeal to force in opposition to force, so long continued against us, had become the more urgent, as every endeavor short of it had not only been fruitless but had been followed by fresh usurpations and oppressions. The intolerable outrages committed against the crews of our vessels, which at one time

were the result of the alledged searches for deserters from British ships of war, had grown into a like pretension, first as to all British seamen, and next to all British subjects; with the invariable practice of seizing on all neutral seamen, of every nation, and on all such of our own seamen, as British officers interested in the abuse might please to demand.

The blockading orders in council, commencing on the plea of retaliating injuries indirectly done to Great Britain, through the direct operation of the French decrees against the trade of the U. States with her—and on a professed disposition to proceed step by step with France in revoking them, have been since bottomed on pretensions more and more extended and arbitrary; till at length it is openly avowed as indispensable to a repeal of the orders as they affect the United States, that the French decrees be repealed as they affect Great Britain directly, and all other neutrals, as well as the U. States. To this extraordinary avowal is superadded abundant evidence, that the real object of the orders is, not to restore freedom to American commerce with Great Britain, which could indeed be little interrupted by the decrees of France; but to destroy our lawful commerce as interfering with her own unlawful commerce, with her enemies. The only foundation of this attempt to banish the American flag from the highway of nations, or to render it wholly subservient to the commercial views of the British government, is the absurd and exploded doctrine, that the ocean not less than the land is susceptible of occupancy and dominion; that this dominion is in the hands of Great Britain, and that her laws, not the law of nations, which is ours as well as hers, are to regulate our maritime intercourse with the rest of the world.

When the United States assumed and established their rank among the nations of the earth, they assumed and established a common sovereignty on the high seas, as well as an exclusive sovereignty within their territorial limits. The one is as essential as the other to their character as an independent nation. However conceding they may have been, on controvertible points; or forbearing under casual and limited injuries; they can never submit to wrongs irreparable in their kind, enormous in their amount, and indefinite in their duration; and which are avowed and justified on principles degrading the U. S. from the rank of sovereign and independent powers. In attaining this high rank and the inestimable blessings attached to it, no part of the American people had a more meritorious share than the people of New-Jersey. From none, therefore, may more reasonably be expected, a patriotic zeal in maintaining by the sword, the unquestionable and inalienable rights, acquired by it; and which it is found, can no otherwise be maintained.

JAMES MADISON.

BENJ. LUDLOW, Esq. *President, &c.*

NAVAL ENGAGEMENT.

Extract from the Log-Book of the Privateer schooner Shadow.

On the 3d of August, at half past meridian, discovered a sail, called all hands to quarters and made all necessary sail in chase. At half past 5 P. M. came up with the chase and perceived that she was a British man of war;

took in the square sail and stay sail, and hauled by the wind; at the same time she tacked for us, commencing a brisk fire. At 8 A. M. lost sight of her.

On the 4th of August, at half past meridian, saw a sail to the eastward standing westward—made all necessary sail in chase. At half past 5 P. M. carried away the square sail boom—cut the wreck adrift, rigged out the lower steering sail boom and set the square sail. Again coming up with the chase. At 6 P. M. being within gun shot she commenced firing from her stern guns. At 7 P. M. came up with her and commenced an action—at half past 7 the ship hoisted a light in her mizen rigging, which was answered by a light from us—At the same time hailed her. She hailed from Liverpool—when Capt. Taylor ordered him to send his boat on board with his papers, which he in part complied with, by sending his boat with an officer and two men, whom we detained, and issued orders to man the boat with our crew, board the ship and demand her papers; which orders were delivered by Mr. Thomas York, who received for answer, that *such orders would not be complied with.* At the same time handed him a note addressed to Capt. T. purporting that his ship was a British letter of marque, called the May, from Liverpool, bound to St. Lucia, commanded by William Affleck, mounting 14 guns, and 50 men. He also stated that the orders in council had been rescinded and a change of ministry taken place in England; which note was handed Capt. T. when the boat was again sent on board, with a note from Capt. Taylor, demanding his papers, *which were refused.* At half past 8 o'clock a brisk firing commenced on both sides, during which time William Craft, sailmaker, was wounded. At 10 P. M. dropped astern with an intention of laying by all night within gun shot; at intervals kept up a brisk fire; weather squally and dark.

At day-light ranged up under her stern, and commenced a severe action, when we received a shot on our starboard bow, which shattered the wooden ends, started the plank shear, and broke several timbers—At half past 7, A. M. another in our larboard bow, struck the larboard after gun carriage, killed Daniel Coleman, James Mahaffy, William Sharp, John North, George Cantler, Shepherd Bulsford, and wounded Timothy Cale, Francis Martin and William Pomroy. At half past 8, A. M. our commander received a ball in his left temple, which instantly terminated his existence, to the inexpressible regret of all hands. About the same time a shot struck under the larboard fore chains, between wind and water, which caused the vessel to make much water, having found three feet water in the hold upon sounding.

[Aurora.]

Of the four presidents that have governed the United States, three are yet alive. Is it not a very remarkable fact, that all these distinguished men agree in sentiment, that the present war with England was inevitable, and ought to be maintained as the last strong hold of our liberties, our commerce, our sovereignty, our republicanism?

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