

Who the agent charged with the reiteration of the overture was, or how instructed, we pretend not to know; but we cannot doubt that he was authorized to pledge all the power of the executive Government to procure the enactment of adequate penalties to prevent a breach of the contract; and moreover we are convinced that, under an amicable arrangement to this effect, the American Merchant and seaman seeing in it his own security and that of his brethren, would exert a vigilance to see it carried into execution, that would leave no escape for those deserters of their country's call that might possibly escape the hands of the officers charged with it.

We have not a doubt that if the subjects, to which your own laws and practice intitle you, were all you are in quest of; you would recover more of them by this process than by any other that could be adopted.

33d Par.—“This proposition having been objected to, a second proposal was made, again offering an armistice, provided the British Government would secretly stipulate to renounce the exercise of this right in a treaty of peace. An immediate and formal abandonment of its exercise, as preliminary to a cessation of hostilities, was not demanded; but his Royal Highness the Prince Regent was required, in the name and on the behalf of His Majesty, secretly to abandon what the former overture had proposed to him publicly to concede.”

34th Par.—“This most offensive proposition was also rejected, being accompanied, as the former had been, by other demands of the most exceptionable nature, and especially of indemnity for all American vessels detained and condemned under the Orders in Council, or under what were termed illegal blockades—a compliance with which demands, exclusive of all other objections, would have amounted to an absolute surrender of the rights on which those Orders and blockades were founded.”

We cannot comment on these propositions without having them fairly before us.—If an armistice were proposed during the temperate discussion of rights which we have never for a moment abandoned; and rejected because we would not tamely surrender a property, in innocent merchandize, *which we have never ceased to demand*;—which no other nation under heaven conceives you have any right to; and to the restoration of which we are clearly intitled, by your own construction of the law of Nations; very recently promulgated; there can be no difficulty in appealing to the world, and to posterity, as to which of us is chargeable with the calamities of war.—It is a subject of easy demonstration, and has been clearly demonstrated, that the Orders under which this property has been seized, will not bear the test of the laws of Blockade.—Nay it has been demonstrated that your own administration has denounced them as illegal; and whatever the law local in England may say, the true law, *diffusa in omnes, constans, sempiterna*, which has no lo-

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<sup>7</sup> See on this subject letters from a Cosmopolite to a Clergyman, 2d and 3d letter.