

If the rights of war do not give to a belligerent, under such circumstances, the right of retaliation, it may be deprived of its most important means of annoyance or defence, by this partial interference of the neutral. It would be better for the belligerent at once to make an enemy of such neutral, than to suffer itself to be handcuffed under the pretence of neutrality. And if a belligerent should be compelled, by a regard to the rights and interests of the war, to resort to such a measure against the pretended neutral, it would be strictly a war of defence : For, before this could happen, the neutral must have made it for the interest of the belligerent to give the shape of war to a contest in which all the gain had been on one side, and all the loss on the other. But such a crisis could never occur, unless the neutral had first forfeited, by its indirect hostility, the immunities of neutrality.

I have chosen thus far briefly to consider the question *stricti juris*, without resorting to the argument, which is by itself conclusive, arising from the character of the enemy, and the peculiar conduct of the war ; the necessities which these impose, and the measures which they justify.

It was about this time, that the administration took what was then called its dignified stand. Disdaining to count the number of their enemies, or to make any discriminations of character, the government melted them all down into one mass, and proposed to maintain what was then denominated the neutral position of the country, by a species of armed neutrality. All this ended in some abstract resolutions, and a non-intercourse law against Great Britain and France, in place of the embargo, which a suffering people would no longer endure. This measure did not succeed in con-